



# **NAVAL POSTGRADUATE SCHOOL**

**MONTEREY, CALIFORNIA**

## **THESIS**

**THE SUCCESSES AND FAILURES OF DEMOCRACY IN  
THE POST-SOVIET REPUBLICS**

by

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September 2016

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**THE SUCCESSES AND FAILURES OF DEMOCRACY IN THE POST-SOVIET  
REPUBLICS**

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requirements for the degree of

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## **ABSTRACT**

The purpose of this thesis is to answer the question “what factors contribute to the differing levels of democratic success in the post-Soviet republics?” The thesis draws on political theory and historical approaches to examine all 15 of the post-Soviet republics as a group in order to identify common trends, and then investigates two particular case studies—Russia and Kyrgyzstan—for further insight. Using the Freedom House scores to measure levels of democratic development, the thesis focuses on two important factors that contribute to democratic success: the balance of power among the elites at the moment of transition and the nature of the initial constitutional framework. The first theory posits that the power dynamics of leadership between the democrats and those supporting the *ancien régime* are crucial in determining the level of democratic development. The second theory concentrates on the impact for democracy of the type of constitutional framework adopted—whether parliamentary, presidential, or some mixture of the two. The thesis examines the merits of these two variables and concludes that an analysis combining them offers the most useful explanation of what contributes to the differing levels of democratic success.

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# I. INTRODUCTION

## A. RESEARCH QUESTION AND THESIS

The fall of the Soviet Union in 1991 offered a unique set of circumstances for political scientists, particularly those interested in studying democratic transitions. Almost overnight, newly independent states emerged, offering an opportunity to observe how these new nations would develop institutionally and otherwise. In 2002, Michael McFaul described these conditions as follows: “Simultaneous regime change in two dozen countries—all beginning in roughly similar places but moving along very different trajectories over ten years—provides the perfect data set for testing extant theories and developing new hypotheses about regime change.”<sup>1</sup> Operating from the premise outlined by McFaul, this thesis attempts to answer the question “What accounts for the varying levels of democracy, or democratic success, in the post-Soviet republics?” By narrowing the focus to only the post-Soviet republics (and omitting the non-Soviet Warsaw Pact states and the Yugoslav successor states), this research integrates the political scientific approach that McFaul alludes to with a more historically focused methodology, in order to answer the research question generally, regionally, and through in-depth case studies.

While numerous scholars have attempted to answer this question, either directly or indirectly, two important studies have been published that offer compelling arguments regarding which factors account for varying levels of democratic success for countries in transition. Relying on these two persuasive academic studies, described in detail in Chapter III, this thesis examines the important factors that contribute to or undermine democratic development in the post-Soviet space. This thesis investigates the hypothesis that the most important factor in fostering a developed democracy is the rise of democratic leaders at the point of transition because they develop strong parliamentary systems and institutions. In order to test the validity of this hypothesis, comparisons between the post-Soviet republics generally, and two countries in particular (chosen from

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<sup>1</sup> Michael McFaul, “The Fourth Wave of Democracy and Dictatorship: Noncooperative Transitions in the Postcommunist World,” *World Politics* 54 (2002): 212–244.

the different sub-regions of the post-Soviet republics), will be made in order to isolate which factors contribute the most to democratic success.

## **B. PURPOSE AND METHODOLOGY**

In addition to the primary purpose of this endeavor, to find a satisfying answer to the stated research question, this thesis also serves some tangential functions: assessing the validity of previously published arguments, and developing an original explanation based on the combination of two factors.

Beginning with the primary purpose first, this thesis is intended to contribute to a greater understanding of democratic development. The link between democracy and respect for human rights standards makes research on democracy significant.<sup>2</sup> In essence, any contribution to the body of knowledge that furthers democratization in practice enjoys a level of normative significance.<sup>3</sup> This thesis endeavors to contribute to that body of research in the hope that the cumulative knowledge of the scholarly work on democratization will promote democratic development and respect for human rights standards around the world.

This thesis adds to the scholarly discourse from three perspectives—from a general political science angle, from a regional standpoint, and from the individual country level. From the first perspective, as a general contribution to political science, this thesis tests the validity and universality of two existing theories regarding democratic development and consolidation. While the arguments presented in Michael McFaul’s “The Fourth Wave of Democracy *and* Dictatorship: Noncooperative Transitions in the Postcommunist World”<sup>4</sup> and Alfred Stepan and Cindy Skach’s “Constitutional Frameworks and Democratic Consolidation: Parliamentarianism versus Presidentialism”<sup>5</sup>

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<sup>2</sup> “Democracy and Human Rights,” accessed March 10, 2016, [http://www.un.org/en/globalissues/democracy/human\\_rights.shtml](http://www.un.org/en/globalissues/democracy/human_rights.shtml).

<sup>3</sup> Larry Diamond, *Developing Democracy: Toward Consolidation* (Baltimore: Johns Hopkins University Press, 1999), 2.

<sup>4</sup> McFaul, “The Fourth Wave.”

<sup>5</sup> Alfred Stepan and Cindy Skach, “Constitutional Frameworks and Democratic Consolidation: Parliamentarianism versus Presidentialism,” *World Politics* 46 (1993): 1–22.

provide convincing explanations for factors that foster democracy, this thesis evaluates the validity of those arguments in the post-Soviet context. In reviewing McFaul's study, this work will take the conclusions that held up in 2002, when the article was published, and see if they remain accurate using updated information on the post-Soviet republics from 2016. Any outliers from the 2016 evaluation will contribute to the selection of the two countries examined further in case studies. As for Stepan and Skach's work, this thesis expands the scope of their argument to include all of the post-Soviet republics, rather than only the fully functioning democracies examined by the authors. This effort tests the applicability of Stepan and Skach's conclusions more broadly, while contributing to the original hypothesis of this thesis: that both theories combined offer the most persuasive explanation for the differing levels of democracy within the post-Soviet context.

In addition, aside from commenting on two important studies within the general political science debate on democracy, this thesis provides insight into the differences within the different "sub-regions" of the post-Soviet space. By examining all of the 15 republics, based on the regional subdivisions in Adrienne Warren's article, this thesis offers insight into the unique characteristics of each sub-region's transition and state-building experience.<sup>6</sup>

Lastly, using the case-study methodology, which allows for the examination of the intricacies of a few nations, this thesis considers the particular histories of two post-Soviet republics, Kyrgyzstan and Russia. The depth of analysis offered by case study research allows for a more complete understanding of the specific circumstances, and often uncovers additional variables for evaluation that have been overlooked by a generalized political science perspective.

## **C. STRUCTURE**

For clarity, this thesis is organized as follows. Chapter II begins with a basic overview of democracy in general and definitions of terms. This overview serves to

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<sup>6</sup> Adrienne Warren, "Comparing Democracy Rankings in the post-Soviets," Eastbook, June 20, 2013, <http://www.eastbook.eu/en/blog/2013/06/20/nations-in-transit-comparing-democracy-rankings-in-the-post-Soviets>.

create a common understanding, but also to immediately focus the effort. Essentially, democracy and democratization can prove expansive topics with many different aspects, so isolating the factors to be explored here proves crucial.

The discussion in Chapter II is brief because the priority of effort, in Chapter III, centers on describing, validating, and expanding on the two primary theories, those presented in McFaul's "The Fourth Wave of Democracy *and* Dictatorship: Noncooperative Transitions in the Postcommunist World"<sup>7</sup> and Stepan and Skach's "Constitutional Frameworks and Democratic Consolidation: Parliamentarianism versus Presidentialism."

Chapter III also covers the general arguments and tenets of each of the theories in the aforementioned articles, including caveats and potential issues with categorizations, generalizations, and assumptions inherent in the theories. These two theories provide the framework of the hypothesis.

Once the theory and hypothesis have been outlined, Chapter IV undertakes an assessment of their validity in regard to the post-Soviet republics. In order to demonstrate the validity of the theories, each of the post-Soviet republics is categorized. This ensures that neither of the theories alone answers the research question. The two data sets are combined to determine if both factors—the power balance of the leadership and constitutional framework—help to account for the differing levels of democratic freedom.

The assessments consider general adherence and thus the empirical consistency in a post-Soviet context of the theories and the hypothesis, as well as the regional trends and specific exceptions. When applicable, the consistency of the theory throughout different time-periods or for countries not originally considered by the authors is employed to expand the scope and understanding of the theories. For instance, does this correlation occur promptly? If not, how long is the process until the democratic regime solidifies? Do countries move between levels of democracy, and if so, why? Also, the country studies look for additional factors that might provide insight into differences between

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<sup>7</sup> McFaul, "The Fourth Wave."

regions, as well as any territorial disputes or ethnic identity considerations that might skew the results. Any exceptions discovered throughout the analysis conducted in Chapter IV help to provide the justification for the case studies of Kyrgyzstan and Russia found in Chapters V and VI. These case studies examine why these particular examples do not align with the two established theories, or the original, combined hypothesis set out in detail at the end of Chapter III.

Within the case-study framework in Chapters V and VI, analysis of two countries, Kyrgyzstan and Russia, offer detailed insight into two distinctive post-Soviet experiences. As mentioned, these two particular nations were chosen because their extraordinary circumstances seemed to deviate from the expected course anticipated by the theories and the general pattern in one of the sub-regions. The sub-regions emerge mainly out of geographical considerations, based largely on Adrienne Warren's divisions, but common cultural and historical experiences were also considered.<sup>8</sup> The four sub-regions include Eastern Europe (Belarus, Moldova, Russia, and Ukraine), the Caucasus (Armenia, Azerbaijan, and Georgia), the Baltics (Estonia, Latvia, and Lithuania), and Central Asia (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan). These particular countries were chosen based on the insight into the cultural dynamics of their particular regions, as well as in light of unique experiences that have the potential to undermine the validity of the hypothesis. Using a more historically oriented process in these two chapters, rather than the more comparative politics-focused methodology used in Chapters III and IV, Chapters V and VI present a chronological narrative designed to highlight the nuances of the events that transpired, rather than a broad-brush generalization or categorization as used in Chapters III and IV.

Chapter VII sums up the conclusions of this thesis from a political science standpoint, providing feedback on the validity of two established theories, the utility of one original, combination hypothesis, and some general notes on regional comparisons and exceptions. From a historical perspective, the thesis analyzes two exceptional cases (Russia and Kyrgyzstan) that can provide deeper insight into the general phenomenon.

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<sup>8</sup> Warren, "Comparing Democracy Rankings."

Overall, if this thesis provides greater understanding of what factors contribute to the differing levels of democratization in the post-Soviet republics, than the endeavor will have been worthwhile. Since the thesis begins with a general analysis of major theories but uses two case studies to further analyze the theories and factors influencing levels of democracy, it sets up a study that can offer general conclusions while at the same time beginning the analysis needed to complement the larger hypothesis. This thesis suggests future research regarding the application of the Combination Hypothesis to non-post-Soviet republics, as well as further case studies in the post-Soviet region.

## **II. BACKGROUND AND DEFINITIONS**

The following section provides important information fundamental to the discussion of which factors account for the differing levels of democratic development in the post-Soviet republics. This background outlines the definitions used in the remainder of the analysis.

### **A. DEFINING THE POST-SOVIET REPUBLICS**

The post-Soviet republics consist of the fifteen nations that had previously been Union Republics of the Union of Soviet Socialist Republics: Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan. Due to their differing geographical circumstances and pre-Soviet experiences, each post-Soviet nation has a unique cultural and historical narrative. The differences among the republics contribute to their distinctive post-Soviet characteristics.

### **B. DEFINING AND MEASURING DEMOCRACY**

Scholars have long been studying and writing about democracy and related topics, such as democratization, democratic development, and democratic transitions.<sup>9</sup> Often the conclusions drawn differ from a political scientist's point of view and from an historian's perspective. Political scientists often look for correlations and factors that generally apply across many states, regularly using large data sets. Historians, on the other hand, usually delve into the specifics, examining either a particular country or time period. The differences between the two perspectives are important for this research because both the political science and historical points of view are incorporated in the final product. It helps to consider both bodies of scholarly knowledge when attempting to answer the stated research question. From a political science point of view, for this research question, potential answers are derived from comparing factors for a wide range of cases, highlighting trends from all of the post-Soviet republics. From these trends, specific

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<sup>9</sup> Robert A. Dahl, *On Democracy* (New Haven, CT: Yale University Press, 1998).

countries in particular time periods are examined further through more typically historical sources and through the case study method.

In order to discuss the relative levels of democracy achieved by the post-Soviet republics, certain concepts and terms must be defined and qualified. To start at the beginning, what is meant by the term democracy? How is this term defined and measured? What characteristics or attributes are required for a country to be deemed a democratic nation? While democracy is an important foundational concept, this thesis focuses on the factors that have contributed to the current level of democratic development achieved by different nations. Nevertheless, a basic definition of democracy helps set the stage for comparison. For the purposes of this study, the term “democracy” is defined with minimal qualifications and in the broadest possible fashion. This allows for greater inclusion for states that have not yet reached the liberal, consolidated, or durable democratic standard that many European or Western states have achieved. Therefore, as Larry Diamond writes, “if we think of democracy as simply the rule of the people, as a system for choosing government through free and fair electoral competition at regular intervals,” we have established a baseline definition for research and analysis.<sup>10</sup> Although minimalist, and perhaps seemingly devoid of valuable information, this definition at least creates a subtle distinction between a government that can be influenced by its citizens, and one whose governing processes fail to take any input from its populace.<sup>11</sup>

Many scholars have dedicated their academic careers to studying, defining, and understanding the origins of democracy and the distinctive qualities that make a state democratic. Depending on perspectives and priorities, a number of definitions have emerged.<sup>12</sup> Should the definition focus on competition and participation? Or on procedures and processes? Numerous works by academic giants in the political science field, such as Arend Lijphart, Larry Diamond, Robert A. Dahl, Juan J. Linz, Seymour Martin Lipset, and many others, have considered in detail the different political

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<sup>10</sup> Diamond, *Developing Democracy*, 3.

<sup>11</sup> Samuel Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman, OK: University of Oklahoma Press, 1991), 9.

<sup>12</sup> Dahl, *On Democracy*, 37.

constructs, institutions, party arrangements, voting mechanisms, and civil society factors that differentiate democracies from their non-democratic counterparts.<sup>13</sup> In their article “What Democracy Is...and Is Not,” Philippe C. Schmitter and Terry Lynn Karl emphasize the multi-faceted nature of democracy when they discuss the

generic *concepts* that distinguish it as a unique system for organizing relations between rulers and the ruled...(the) *procedures*, the rules and arrangements that are needed if democracy is to endure...(and) operative *principles* that make democracy work.<sup>14</sup>

Despite all the different aspects they consider, Schmitter and Karl come up with an answer along the same lines as Diamond. Therefore, this paper will use their definition of democracy:

*Modern political democracy is a system of governance in which rulers are held accountable for their actions in the public realm by citizens, acting indirectly through the competition and cooperation of their elected representatives.*<sup>15</sup>

Providing a concise review of the scholarly contributions to the understanding of democracy beyond definitions is difficult, especially when considering both the political science and historical sources. This is difficult not only because of the breadth of research available, but also because the definitions and measurement standards that scholars use often vary and overlap. Usually when scholars begin to discuss the different institutions, frameworks, laws, policies, and other political constructs that make democracies distinctive, elements of quality and classifications begin to emerge. Samuel Huntington illustrates this point by stating that

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<sup>13</sup> Arend Lijphart, *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries* (New Haven: Yale University Press, 1999); Diamond, *Developing Democracy*; Dahl, *On Democracy*; Juan J. Linz, “The Perils of Presidentialism,” in *The Global Resurgence of Democracy* ed. Larry Diamond and Marc F. Plattner, 2nd ed. (Baltimore: The Johns Hopkins University Press, 1996); Douglas V. Verney, “Parliamentary Government and Presidential Government,” in *Parliamentary Versus Presidential Government*, ed. Arend Lijphart (Oxford: Oxford University Press, 1992); Seymour Martin Lipset, “The Centrality of Political Culture,” in *Parliamentary Versus Presidential Government*, ed. Arend Lijphart (Oxford: Oxford University Press, 1992).

<sup>14</sup> Philippe C. Schmitter and Terry Lynn Karl, “What Democracy Is...and Is Not,” in *The Global Resurgence of Democracy*, ed. Larry Diamond and Marc Plattner (Baltimore: The Johns Hopkins University Press, 1996), 50.

<sup>15</sup> Ibid. (italics added)

to some people, democracy has or should have much more sweeping and idealist connotations. To them, “true democracy” means *liberté, égalité, fraternité*, effective citizen control over policy, responsible government, honesty and openness in politics, informed and rational deliberation, equal participation and power, and various other civic virtues.<sup>16</sup>

If the definition of democracy can encompass such a wide variety of concepts and factors, then it is no surprise that related terms and concepts involve an equally large number of considerations. For instance, considering one relevant concept for this study, scholars often differ on their definition of “democratic success.” Does this term simply mean survivability, as Guillermo O’Donnell suggests, or is a level of quality required as well?<sup>17</sup> If quality proves an important factor, how is that expressed? Does that require “deepening,”<sup>18</sup> as Fritz Plasser, Peter Ulram, and Harald Waldrauch suggest, or “authenticating,”<sup>19</sup> as John S. Dryzek and Leslie Holmes suggest, or must a country obtain the title “consolidated democracy” in order to be considered successful?<sup>20</sup> To that end, what conditions must exist for a democracy to reach consolidation?<sup>21</sup> Is consolidation an endpoint, and if so, when has a state reached this distinction?<sup>22</sup>

In order to reduce the confusion, and use the least subjective method available, this thesis will use the Freedom House rankings to measure democratic success or “level of democratic development.” The fact that Freedom House has been measuring democratic levels for decades, across a well-defined set of standards, proves one of the greatest advantages of utilizing Freedom House data. This continuity in assessment allows for relative comparisons and helps to avoid limiting labels, although certain general classifications are

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<sup>16</sup> Huntington, *The Third Wave*, 9.

<sup>17</sup> Guillermo O’Donnell, “Illusions about Consolidation,” in *Consolidating the Third Wave*, ed. Larry J. Diamond (Baltimore: Johns Hopkins University Press, 1997), 41.

<sup>18</sup> Fritz Plasser, Peter A. Ulram, and Harald Waldrauch, *Democratic Consolidation in East-Central Europe* (London: MacMillan Press, 1998), 9.

<sup>19</sup> John S. Dryzek and Leslie Holmes, “The Real World of Civic Republicanism: Making Democracy Work in Poland and the Czech Republic,” *Europe-Asia Studies* 52, no. 6 (2000): 1044.

<sup>20</sup> Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe* (Baltimore: The Johns Hopkins University Press, 1996).

<sup>21</sup> Andreas Schedler, “What is Democratic Consolidation?” *Journal of Democracy* 9 (1998): 91–107. Many other scholars have contributed to the debate over consolidation in addition to Schedler.

<sup>22</sup> Linz and Stepan, *Problems of Democratic Transition and Consolidation*.

used throughout Chapters III and IV. Terms such as “democracy,” “partial democracy,” and “dictatorship,” will be used, but in an instructive way that corresponds with the Freedom House scores. Freedom House scores of 1 to 2.5 represent “free” states, or “democracies”; scores of 3 to 5 represent “partially free” states, or “partial democracies”; and scores of 5.5 to 7 represent polities that are “not free” or “dictatorships.”<sup>23</sup> The Freedom House scores for the post-Soviet republics are shown in Table 1.

Table 1. 2016 Freedom House Scores for the Post-Soviet Republics<sup>24</sup>

POST-SOVIET	Current Freedom House			
	Political Rights	Civil Liberties	Freedom Ranking	Comparative Score (1 Low; 100 High)
Armenia	5	4	4.5	46
Azerbaijan	7	6	6.5	16
Belarus	7	6	6.5	17
Estonia	1	1	1	94
Georgia	3	3	3	64
Kazakhstan	6	5	5.5	24
Kyrgyzstan	5	5	5	38
Latvia	2	2	2	86
Lithuania	1	1	1	91
Moldova	3	3	3	60
Russia	6	6	6	22
Tajikistan	7	6	6.5	16
Turkmenistan	7	7	7	4
Ukraine	3	3	3	61
Uzbekistan	7	7	7	3

Free
Partially Free
Not Free

<sup>23</sup> “Methodology,” accessed March 10, 2016, <https://freedomhouse.org/report/freedom-world-2016/methodology>.

<sup>24</sup> Adapted from “Freedom in the World 2016,” accessed March 10, 2016, <https://freedomhouse.org/report/freedom-world/freedom-world-2016>.

Overall, the Freedom House scores offer a consistent measurement of the democratic levels within a country over time that serve as a baseline for relative comparisons. Table A in the Appendix includes the Freedom House scores for each of the post-Soviet republics from 1991 to 2016.

### C. WHAT FACTORS CONTRIBUTE TO DEMOCRATIC QUALITY?

Even when consensus can be reached in terms of measuring success, the debate continues among scholars regarding which factors contribute most significantly to democratic development, and under what circumstances. Generally, this thesis views these factors as falling into two categories—internal or external. Internal factors, as the name suggests, focus on how the internal characteristics of the state contribute to levels of democratization. How leaders and political parties structure institutions, for example, indicates how the decisions made within the nation-state contribute to democratic governance.<sup>25</sup> Other examples of internal factors include political parties, electoral institutions, civil society, the rule of law, interest groups, and constitutional frameworks—just to name a few.<sup>26</sup> External factors, on the other hand, consider the power dynamics and influence that external players and the global environment have on democratic institution-building. The role that non-governmental organizations (NGOs) play in fostering democratic values, for instance, shows how a country's democratic development does not occur in a vacuum, nor is it immune from outside pressures.<sup>27</sup> Other examples of external factors include membership in intergovernmental organizations (IGOs), relationships with global or regional powers, economic interdependence, cultural ties, and the globalization of democratic norms—just to name a few.<sup>28</sup> This thesis focuses more on internal factors because arguably a country's willingness to engage with outside actors, or how the country views the external power

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<sup>25</sup> Lijphart, *Patterns of Democracy*.

<sup>26</sup> Larry Diamond et al., ed., *Consolidating the Third Wave Democracies: Themes and Perspectives* (Baltimore: The Johns Hopkins University Press, 1997).

<sup>27</sup> Thomas Carothers, *Aiding Democracy Abroad: The Learning Curve* (Washington, DC: Carnegie Endowment for International Peace, 1999).

<sup>28</sup> "Democracy and Global Forces," in *The Changing Nature of Democracy*, ed. Takashi Inoguchi, Edward Newman, and John Keane (Tokyo: United Nations University Press, 1998), 117–170.

dynamics, develops fundamentally from internal factors—the perspective of the leadership, support for democracy, the institutions, and so on.<sup>29</sup>

Even when considering only the internal factors that influence democratic development, distinctions between factors arise.<sup>30</sup> Broadly, this thesis argues that internal factors can be split into those that focus on the political environment and the conditions that exist within nation-states *prior* to a transition, and those that characterize the internal situation *after* transition. For instance, considering the internal state of a country prior to transition may indicate the most effective mode of transition to pursue, as well as the main actors and causes of transition. A country that experiences a military coup, for example, will experience post-transition democracy differently from a nation-state that transitions due to a popularly supported change in government.<sup>31</sup> The pre-transition analyses have merit, as they explain what led to independence as well as indicating what potential difficulties can arise in developing high levels of democratic development. For this study, however, the research focuses on the post-transition factors; not because all post-Soviet republics had the same “domestic” situations prior to the collapse of the Soviet Union, but because determining what brought about the USSR’s demise will not parse out the reasons behind the differing levels of democratic development in the aftermath of its disintegration. Essentially, the post-Soviet republics have a generally similar transition story overall in that the collapse of the Soviet Union greatly contributed to the events leading up to their independence. This is not to say that all post-Soviet republics experienced the same circumstances (transitions were accompanied by ethnic conflict and violence in many republics), but this study concentrates on their post-transition internal conditions. Of course the post-transition situation facing each country will be, to some extent, a product of the pre-transition environment, but the circumstances and actions that occurred after the post-Soviet republics became newly independent states is the focus of this study.

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<sup>29</sup> Gretchen Casper and Michelle M. Taylor, *Negotiating Democracy: Transitions from Authoritarian Rule* (Pittsburg: University of Pittsburgh Press, 1996).

<sup>30</sup> Larry Diamond and Marc F. Plattner, ed., *The Global Resurgence of Democracy*, 2nd ed. (Baltimore: The Johns Hopkins University Press, 1996).

<sup>31</sup> Huntington, *The Third Wave*, 111.

Therefore, like many studies, this thesis will focus on internal factors at the point of transition and afterward, i.e., basically the decisions and actions that defined and influenced the character of the newly independent state. These factors can include the character or ideology of the leaders and elites, the institutions or structural organizations established, the existence and vibrancy of the civil society, the presence and role of NGOs, the membership in IGOs, the level of economic development, the implementation of a market economy, and several other variables, all of which apply to the post-transition environment. While these internal factors each have linkages with democratic development (and in many instances correlate strongly with it), this thesis holds that most of these factors arise, or can be seen as by-products of, a newly independent state's character against two metrics: the ideology of the leadership and institutional frameworks.

To evaluate the legitimacy of that assumption, findings from the diverse and widespread studies that examine democratic success have been investigated. As expected, of all the sources considered, the two studies selected for further scrutiny relate to the character of the leadership and elites at the point of transition and the type of constitutional framework a newly independent state adopts. These findings, examined in the next chapter, have been chosen not only for their logically convincing explanations, but also for their apparently quantifiable legitimacy. Admittedly, part of the appeal of these two studies comes from their attempts to classify and label nation-states, in order to compare them. In addition, these sources were considered because the states' behavior relating to these particular factors account for, or affect, the other factors previously mentioned.<sup>32</sup> As an example, the type of institutions developed could prove crucial in a state's democratic success because those institutions could either protect or undermine the vitality of the civil society, and so on.<sup>33</sup>

Therefore, based on their logic, qualitative labeling, and explanatory power, the two chosen theories are used due to their ability to explain the differences in the post-Soviet republics' levels of democratic success. For ease of description, they are called the

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<sup>32</sup> Huntington, *The Third Wave*.

<sup>33</sup> Casper and Taylor, *Negotiating Democracy*.

Balance of Leadership Theory and the Constitutional Framework Theory. These two theories, each of which offer a key factor in explaining the relative levels of democratic success a country can achieve, are outlined in greater detail in Chapter III. Chapter IV presents an assessment of the theories' applicability to the post-Soviet republics.

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### **III. THEORY AND HYPOTHESIS**

The following chapter outlines the key theories and resulting hypothesis this thesis uses to assess the levels of democratic success achieved by the post-Soviet republics. The two theories, the Balance of Leadership Theory and the Constitutional Framework Theory, and the hypothesis, the Combination Hypothesis, establish the specific factors this thesis focuses on to examine the democratic development of the states within the post-Soviet space.

#### **A. THE TENETS OF THE BALANCE OF LEADERSHIP THEORY**

The first factor that explains the differences in the post-Soviet republics' level of democracy, put forth in Michael McFaul's "The Fourth Wave of Democracy and Dictatorship: Noncooperative Transitions in the Postcommunist World," examines the ideology and the balance between the leadership, or potential governing elites, at the point of transition.<sup>34</sup> In other words, the theory examines the balance between (a) the group of potential leaders with a democratic ideology, and (b) the group of potential leaders with a communist ideology, within the newly independent state.<sup>35</sup> As an "actor-centric" approach to analyzing post-communist countries, the theory considers the "balance of power between supporters and opponents" of a democratic or autocratic regime.<sup>36</sup> In essence, the theory examines the internal power struggle, or cooperation between, actors who wish to pursue a democratic post-transition system, and those that prefer a less democratic approach. Some scholars have asserted that a balance between the two groups creates cooperation, and therefore the development of lasting democratic values.<sup>37</sup> McFaul describes how this cooperative theory suggests that a balance between the challengers and ancien régime fosters democracy:

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<sup>34</sup> McFaul, "The Fourth Wave."

<sup>35</sup> Ibid.

<sup>36</sup> Ibid., 213.

<sup>37</sup> McFaul provides an excellent summation of the scholarly discussion in McFaul, "The Fourth Wave," 214–220.

Because neither side had the capacity to achieve its first preferences through the use of force, the sides opted to negotiate power-sharing arrangements with their opponents, which represented second-best outcomes for both. Often called “pacts,” these power-sharing arrangements negotiated during transition were then institutionalized as a set of checks and balances in the new democracy.<sup>38</sup>

While plausible in theory, the findings in “The Fourth Wave of Democracy and Dictatorship: Noncooperative Transitions in the Postcommunist World” suggest that while the cooperative method may have been successful in other contexts, the theory does not hold up in the post-Soviet experience.

Conversely, McFaul’s theory argues that it was the state of “*unequal* distributions of power that produced the quickest and most stable transitions from communist rule.”<sup>39</sup> In other words, the study argues that the “ideological orientation of the more powerful party largely determined the type of regime to emerge.”<sup>40</sup> Democracies emerged in countries where the new leaders were mostly democrats, whereas in states where the dictators enjoyed the balance of power post-transition, stable non-democracies resulted. In instances where the power was more evenly distributed, situations of “protracted confrontation, yielding unconsolidated, unstable partial democracies and autocracies” were the norm, as indicated in Figure 1.<sup>41</sup>

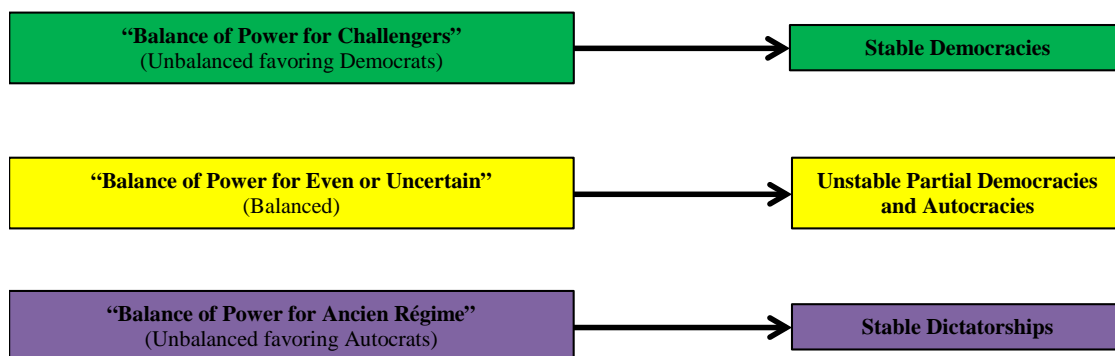


Figure 1. The Balance of Leadership Theory

<sup>38</sup> McFaul, “The Fourth Wave,” 213.

<sup>39</sup> Ibid. (italics in original)

<sup>40</sup> Ibid., 213–214.

<sup>41</sup> Ibid., 214.

Logically, this theory seems plausible; it makes sense that a majority group within a newly founded government would be able to ensure the establishment and enforcement of laws and institutions aligned to its ideology. McFaul demonstrates this point when discussing democracies: “And hence institutions of power sharing or checks or balances did not result from compromises between the ancient regime and democratic challengers but rather emerged only if the hegemonic democrats chose to implement them.”<sup>42</sup> Regardless of the ideology of the founding elites, democratic or dictatorial, they would have an easier time creating a government in their image simply due to their sheer numerical advantage.

In some ways inserting their ideology into the newly forming institutions and customs would prove easier for the dictatorial majorities as they would not have to deviate as greatly from the status quo, compared to the newly mobilized democratic majorities that faced a complete reversal of their government’s ideology. In either case, the importance of the balance and ideology of the leadership at the point of transition and its impact on future levels of democratization has a logical correlation.

## **B. THE TENETS OF THE CONSTITUTIONAL FRAMEWORK THEORY**

The second study used as a framework for determining the key factor in differing levels of democratic success, while at the same time being subjected to a validity test in a post-Soviet republic context, is outlined in Alfred Stepan and Cindy Skach’s “Constitutional Frameworks and Democratic Consolidation: Parliamentarianism versus Presidentialism.”<sup>43</sup> As the title suggests, the article examines “the impact of different constitutional frameworks on democratic consolidation.”<sup>44</sup> While the concept of democratic consolidation differs from the more general concept of democratic development, Stepan and Skach’s arguments inspired a hypothesis. Essentially, the article states that the constitutional frameworks of the most longstanding democracies fall into three categories: “presidential (as in the United States), parliamentary (as in most of

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<sup>42</sup> McFaul, “The Fourth Wave,” 214.

<sup>43</sup> Stepan and Skach, “Constitutional Frameworks.”

<sup>44</sup> Ibid., 2.

Western Europe), or a semi-presidential hybrid of the two (as in France and Portugal).”<sup>45</sup> Of the three, Stepan and Skach argue that a (pure) parliamentary regime is a system of “mutual dependence” that facilitates democratic consolidation. Conversely, in a (pure) presidential system, the “mutual independence” of the president and the legislature makes democratic consolidation more difficult.<sup>46</sup>

While technically the authors applied their argument only to democracies, this thesis endeavors to stretch their conclusions to all post-Soviet republics—democratic and otherwise. Due to the fact that all post-Soviet republics hold elections, albeit to differing degrees of legitimacy and openness, this thesis posits that the theory can apply across all the post-Soviet states. Plus, since none of the post-Soviet republics overtly prohibit elections, and still attempt to appear democratic in some form or another, particularly to outside audiences, the wider applicability of the theory ought to be tested. Therefore, although Stepan and Skach’s theory applies specifically to democracies, it will be expanded on here to test its validity to non-democracies in a post-Soviet context. As with democracies, the assumption remains (for the same reasons) that countries with parliamentary constitutional frameworks have higher levels of democratic success than those with presidential systems, and that those with a mixed system fall somewhere in-between. In Stepan and Skach’s words, “In this article we bring evidence in support of the theoretical argument that parliamentary democracies tend to increase the degrees of freedom that facilitate the...attempt to consolidate their democratic institutions.”<sup>47</sup> Again, this thesis acknowledges that their research focuses on democratic *consolidation*, which in the literature is a specific concept, and that their general premise is being expanded here to comment on levels of success in pursuing democracy, or the quality of democracy. The problems associated with making this leap and expanding the context are acknowledged.

The Constitutional Framework Theory hypothesizes that countries that develop parliamentary constitutional frameworks will develop stable democracies, while those

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<sup>45</sup> Stepan and Skach, “Constitutional Frameworks,” 2–3.

<sup>46</sup> Ibid., 3–4.

<sup>47</sup> Ibid., 2.

that favor presidentialism as a constitutional construct will create dictatorships, and that those that establish mixed constitutional frameworks will lead to partial democracies. Figure 2 shows a pictorial representation of the theory.

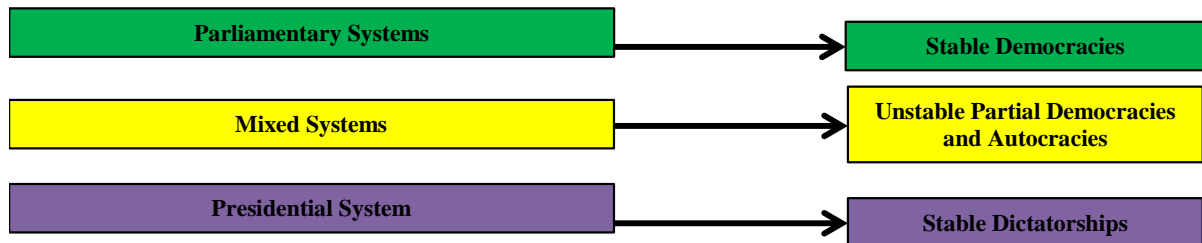


Figure 2. The Constitutional Framework Theory

In order to understand why the Constitutional Framework Theory, as it has been dubbed here, should apply beyond the stable democracies that Stepan and Skach examined, a greater understanding of different constitutional frameworks offers context. In much of the literature, scholars focus on two types of constitutional frameworks—parliamentarianism and presidentialism.<sup>48</sup> Juan J. Linz provides a concise definition of parliamentary systems: “A parliamentary regime in the strict sense is one in which the only democratically legitimate institution is parliament; in such a regime, the government’s authority is completely dependent upon parliamentary confidence.”<sup>49</sup> Stated another way, in parliamentarianism, the head of the government, acting as the chief executive, gets his legitimacy through the support of the legislature rather than through direct elections.<sup>50</sup> Again, as Linz points out, parliamentary systems can have presidents, even those elected through popular vote, but they “usually lack the ability to compete seriously for power with the prime minister.”<sup>51</sup> The fact that parliamentary regimes can have directly elected presidents or heads of state can make identifying a parliamentary system difficult. Having a sense of the relative power balance between the

<sup>48</sup> Linz, “The Perils of Presidentialism”; Verney, “Parliamentary Government and Presidential Government.”

<sup>49</sup> Linz, “The Perils of Presidentialism,” 125.

<sup>50</sup> Ibid.

<sup>51</sup> Ibid.

head of state and the head of government, as well as knowing where the executive power is concentrated, becomes crucial in determining if a state is a purely parliamentary system, or a regime with a different type of constitutional framework. Stepan and Skach, the authors of the foundational work behind the Constitutional Framework Theory, highlight the “system of mutual dependence” that parliamentarianism offers, along with what they determine as the two major features:

1. The chief executive power must be supported by a majority in the legislature and can fall if it receives a vote of no confidence.
2. The executive power (normally in conjunction with the head of state) has the capacity to dissolve the legislature and call for elections.<sup>52</sup>

With this definition of parliamentarianism, the two other types of constitutional frameworks remain to be specified. Linz describes a presidential system as follows:

In presidential systems an executive with considerable constitutional power—generally including full control of the composition of the cabinet and administration—is directly elected by the people for a fixed term and is independent of parliamentary votes of confidence. He is not only the holder of executive power but also the symbolic head of state and can be removed between elections only by the drastic step of impeachment.<sup>53</sup>

The crucial distinctions between parliamentarianism and presidentialism, as hinted at before, center on the power of the executive and his relationship with the legislature. In a presidential system, the executive has its own electoral legitimacy separate from the legislature. In other words, the president, or head of state, is elected directly by the people, rather than indirectly by the legislature. Moreover, in presidential systems the executive is not dependent on the legislature to remain in power, having been elected to a fixed term of office.<sup>54</sup> Returning again to Stepan and Skach, when it comes to a pure presidential system, presidentialism offers a state of “mutual independence” in which the following features arise:

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<sup>52</sup> Stepan and Skach, “Constitutional Frameworks,” 3.

<sup>53</sup> Linz, “The Perils of Presidentialism,” 125.

<sup>54</sup> *Ibid.*, 126.

1. The legislative power has a fixed electoral mandate that is its own source of legitimacy.
2. The chief executive power has a fixed electoral mandate that is its own source of legitimacy.<sup>55</sup>

With the single source of power in the parliamentary system (the legislature), parliamentarianism differs from a framework with the dual sources of legitimacy in presidentialism.<sup>56</sup>

The third construct, often discussed separately from (pure) parliamentarianism and (pure) presidentialism is semi-presidentialism. Semi-presidential systems, as one might expect, combine elements of parliamentarianism and presidentialism. For that reason, within this thesis, these hybrid regimes will be called “mixed,” since semi-presidentialism tends to overshadow the parliamentary aspects, and “semi-parliamentary” appears to be absent as a term in the literature. Regardless of name, these mixed systems have been described as follows:

The concept of [a] semi-presidential form of government, as used here, is defined only by the content of the constitution. A political regime is considered as semi-presidential if the constitution which established it combines three elements: (1) the president of the republic is elected by universal suffrage; (2) he possesses quite considerable powers; (3) he has opposite him, however, a prime minister and ministers who possess executive and governmental power and can stay in office only if the parliament does not show its opposition to them.<sup>57</sup>

Stated another way, the mixed systems have an executive chosen indirectly by the parliament, and subject to votes of no confidence, while at the same time having a directly elected president, for a fixed term with considerable power—both which vie for executive influence. France’s Fifth Republic offers a prime example.

The distinction between a presidential system and a mixed system can be difficult to identify with simply a cursory knowledge of a nation’s government. Often, a deeper

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<sup>55</sup> Stepan and Skach, “Constitutional Frameworks,” 4.

<sup>56</sup> Linz, “The Perils of Presidentialism,” 135.

<sup>57</sup> Maurice Duverger, “A New Political System Model: Semi-Presidential Government,” in *Parliamentary Versus Presidential Government*, ed. Arend Lijphart (Oxford: Oxford University Press, 1992), 142.

understanding of the state's constitution, and the power distribution and powers afforded the different power holders, must be obtained before a nation can be slotted into one of the categories. Again, since these distinctions can prove tricky, Andre Krouwel outlined a number of areas of constitutional organization that help scholars classify a state.<sup>58</sup> These categories include head of state elections, dissolving the government, appointing the cabinet and other ministers, positions responsible to parliament, holders of legislative powers, holders of executive power, and votes of no confidence.<sup>59</sup> Using these indicators, and knowing the constitution of a nation, one could determine if the state governed using a parliamentary, presidential, or mixed form of constitutional framework. For instance, using the "holder of executive powers" consideration, the question is who holds the executive power within the state. For a parliamentary system, the head of state has no executive responsibilities, whereas in a presidential system the head of state does have executive powers. And, for the mixed system, the "president has substantial executive prerogatives, but most executive power rests with the prime minister and the cabinet."<sup>60</sup> Using all the different matrixes provided by Krouwel's analysis, any state can be classified into one of the three constitutional frameworks. Table B in the Appendix provides the extensive breakdown of these categories. While independently identifying the type of constitutional framework for each post-Soviet republic would be instructive, space does not permit such an endeavor. Instead, the classifications used by other scholars will be utilized for this study. Chapter IV provides the details.

Each constitutional framework comes with potential benefits and drawbacks. Understanding the potential, or theoretical, benefits and drawbacks of a particular construct can shed light on the experiences of the post-Soviet republics and determine if the choice of constitutional framework has contributed to their current level of democratic development. Many scholars suggest that a parliamentary system helps foster greater levels of democracy. According to Linz, "a careful comparison of

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<sup>58</sup> Andre Krouwel, "Measuring Presidentialism and Parliamentarism: An Application to Central and East European Countries," *Acta Politica* 38 (2003): 333–364.

<sup>59</sup> Alan Siaroff, "Comparative Presidencies: The Inadequacy of the Presidential, Semi-Presidential, and Parliamentary Distinction," *European Journal of Political Research*, April 1, 2003.

<sup>60</sup> Krouwel, "Measuring Presidentialism and Parliamentarism," 345.

parliamentarianism as such with presidentialism as such leads to the conclusion that, on balance, the former is more conducive to stable democracy than the latter.”<sup>61</sup> The mutual dependence that Stepan and Skach referred to in their article helps illustrate the point. In fact, they go so far as to list the “observable tendencies” that a pure parliamentary system offers over its presidential counterparts:

its greater propensity for governments to have majorities to implement their programs; its greater ability to rule in a multiparty setting; its lower propensity for executives to rule at the edge of the constitution and its greater facility at removing a chief executive who does so; its lower susceptibility to military coup; and its greater tendency to provide long party-government careers, which add loyalty and experience to political society.<sup>62</sup>

The majority of the literature reviewed during this research touted the virtues of the parliamentary system, particularly in comparison with presidentialism. Much of the criticism focuses on the dual legitimacy inherent in the presidential structure. “The political activities of parliamentary systems,” Verney observes, “have their focal point in parliament. Heads of state, governments, elected representatives, political parties, interest groups, and electorates all acknowledge its supremacy. It is tempting to assume that there must be a similar focal point in presidential systems. This is not so. Instead of concentration there is division; instead of unity, fragmentation.”<sup>63</sup> Essentially, since the head of government and the head of state have separate sources of legitimacy, both vie for power and influence, thus fracturing political power within the state. While Verney may have a valid argument, other scholars contend that parliamentarianism leads to stalemates and lower levels of effectiveness in governance.<sup>64</sup>

Due to the need for consensus, a typical characteristic of parliamentary regimes, governments can find themselves mired in quagmires that their constitutional framework

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<sup>61</sup> Linz, “The Perils of Presidentialism,” 125.

<sup>62</sup> Stepan and Skach, “Constitutional Frameworks,” 22.

<sup>63</sup> Verney, “Parliamentary Government and Presidential Government,” 46.

<sup>64</sup> Gabor Toka, “Political Parties in East Central Europe,” in *Consolidating the Third Wave Democracies*, ed. Larry Jay Diamond et al. (Baltimore: The Johns Hopkins University Press, 1997); Juan J. Linz and Alfred Stepan, “Towards Consolidated Democracies,” in *Consolidating the Third Wave Democracies*, ed. Larry J. Diamond et al. (Baltimore: The Johns Hopkins University Press, 1997).

only exacerbates.<sup>65</sup> With parliamentarians unable to come to an agreement, policy and decisions can linger in the system and negatively impact government function. A mixed constitutional framework brings elements of the parliamentary system and the presidential regime into the mix, and the degree to which advantages and downsides arise depends in part on the relative power balances inherent in the country's particular system. Understanding the merits and disadvantages of the different constitutional frameworks offers insight into how the system a country chooses can either reinforce or moderate a country's natural tendencies. For instance, when a people favor strong, powerful leaders, and they implement a presidential system, they may be promoting a situation that makes power concentration more likely. While a concentration of power does not necessarily always lead to dictatorship, it may make protecting democratic freedoms more difficult.

The Balance of Leadership Theory and the Constitutional Framework Theory are crucial to the main premise of this thesis, the Combination Hypothesis, which is outlined as follows.

### **C. THE TENETS OF THE COMBINATION HYPOTHESIS**

The theories outlined at the beginning of this chapter, chosen for their explanatory logic and supportive data, offer two compelling answers to the research question: "What accounts for the varying levels of democracy, or democratic success, in the post-Soviet republics?" As noted previously, the Balance of Leadership Theory suggests that the power balance between the democrats and the communists in the post-transition period explains the varying degrees of democratic success experienced by the post-Soviet republics. The post-Soviet republics that had a preponderance of democrats would foster democracy, and those with an ascendancy of communists would develop strong autocracies. The more evenly balanced systems would ultimately swing between the extremes, developing hybrid regimes of partial democracies and partial autocracies. Conversely, the Constitutional Framework Theory suggests that the type of constitutional framework chosen by each new government will help to determine the levels of

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<sup>65</sup> Larry Diamond, "Three Paradoxes of Democracy," in *The Global Resurgence of Democracy*, ed. Larry Diamond and Marc Plattner, 2nd ed. (Baltimore: The Johns Hopkins University Press, 1996).

democracy achieved by the post-Soviet republics, assuming that the theory applies to democracies and autocracies alike. Thus, the countries that chose parliamentary institutional frameworks would ultimately have stronger democracies than those that chose either a mixed or presidential system.

Owing perhaps to the fact that both theories identified three groups, a connection between the two theories emerged during the research. In addition, an analysis of the post-Soviet republics showed similarities between certain groups of countries. For instance, it appeared that those countries with strong democracies shared similar governing structures, particularly when compared to those with the least democratic regimes. The hypothesis developed in this research accordingly combines the two theories, positing that both factors are required for a country to achieve full democratic success in the post-Soviet context. Therefore, the hypothesis becomes, the balance of power within the leadership at the point of transition is the key factor that accounts for the differences of democratic success in post-Soviet republics because that balance determines the type of constitutional framework adopted, which in turn contributes to the country's level of democracy. Figure 3 presents what this thesis calls the Combination Hypothesis.

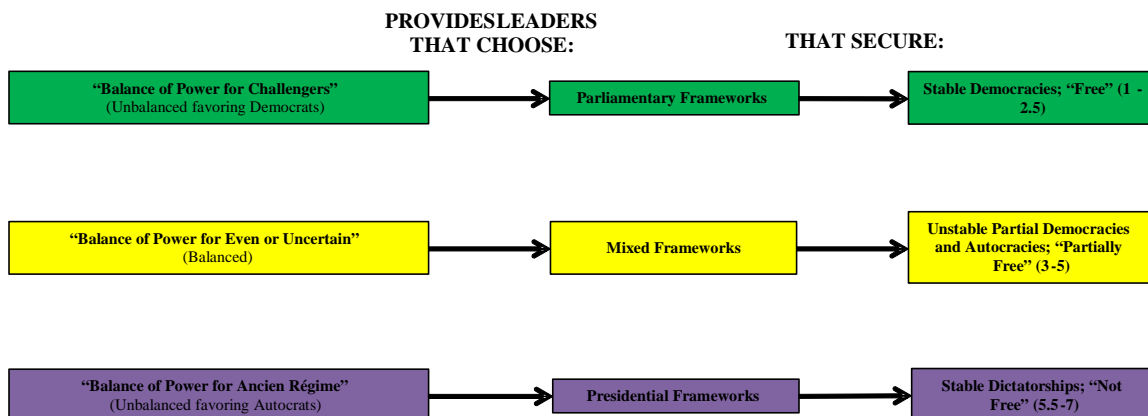


Figure 3. The Combination Hypothesis

In essence, both factors are required to enhance the level of democracy reached by a post-Soviet republic because the two factors appear inextricably tied. Not only does this hypothesis suggest a linkage between variables, it implies an element of cause and effect.

The power balance between leaders affects which constitutional framework will be implemented, and this choice in turn influences the level of democracy a country can achieve. If this is true, only countries with a predominantly democratic leadership will choose parliamentary systems and therefore have an optimal chance to be “free.” Conversely, any country that has an autocratic preponderance within the initial governing elites will choose a presidential system, a choice that may ensure their future “not free” status. Lastly, countries with a relative balance between democratic and autocratic elites will choose a mixed system that may lead to a “partially free” state. The Combination Hypothesis, which posits that combining the two factors may prove crucial, will be tested here in the post-Soviet context using the research plan as previously explained.

## **IV. ANALYSIS**

Having outlined the basic tenets of the two theories and the Combination Hypothesis, this thesis now assesses their applicability in the post-Soviet space.

### **A. DATA ANALYSIS OF THE BALANCE OF LEADERSHIP THEORY**

Aside from its logical consistency, the empirical findings of the Balance of Leadership Theory based on McFaul's arguments are convincing. The data provided by McFaul has been reproduced in Table 2 to show his assessment of the post-Soviet republics. These assessments describe the balance of power among the elites at the point of transition along one axis, and then places each of the post-Soviet republics into a category of either "Democracy," "Partial Democracy," or "Dictatorship." The apparent consistency of the data with the theory helps explain why this particular argument has been chosen for this research project. Table 2 summarizes McFaul's results.

Table 2. Categorization of the Post-Soviet Republics by Leadership Balance and Regime Type—2002<sup>66</sup>

	<b>DICTATORSHIPS</b>	<b>PARTIAL DEMOCRACIES</b>	<b>DEMOCRACIES</b>
<b>BALANCE OF POWER FOR CHALLENGERS</b>		<b>Armenia Georgia</b>	<b>Estonia Latvia Lithuania</b>
<b>BALANCE OF POWER EVEN OR UNCERTAIN</b>	<b>Tajikistan</b>	<b>Azerbaijan Moldova Russia Ukraine</b>	
<b>BALANCE OF POWER FOR ANCIENT REGIME</b>	<b>Belarus Kazakhstan Kyrgyzstan Turkmenistan Uzbekistan</b>		

McFaul does not provide detailed justifications for how he determined which post-Soviet countries fell into each category, and it is beyond the scope of this thesis to revalidate McFaul’s categorizations for each post-Soviet republic (aside from the two case studies in Chapters V and VI). The relative power balance at the point of transition proves especially difficult to verify without preparing time-consuming case studies for each republic. For that reason, and since the classifications cannot be reexamined, this analysis will assume the accuracy of McFaul’s categorization and McFaul’s data will serve as the baseline for this thesis.

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<sup>66</sup> Adapted from McFaul, “The Fourth Wave,” 227. Table 2 has omitted the non-Soviet former Warsaw Pact countries, leaving just the post-Soviet republics.

Although McFaul’s “balance of leadership” variable is not reexamined in this thesis for each country, on the other hand, the Freedom House scores serve as a logical confirmation of McFaul’s categorization of each state as a “Democracy,” “Partial Democracy,” or “Dictatorship.” Using the Freedom House scores from 2002, when McFaul’s article was published, McFaul’s classifications can generally be confirmed.<sup>67</sup> Countries that Freedom House deemed “free,” with a score between 1 and 2.5, can confidently be considered democracies, as McFaul assessed, while those labeled “not free” by Freedom House and with a score between 5.5 and 7 can be assumed to be dictatorships. Likewise, those states called “partially free,” with a score between 3 and 5 from Freedom House, can be considered partial democracies. Table 3 compares McFaul’s classification with the Freedom House scores to determine to what extent the two align.

Table 3. Assessment of the Post-Soviet Republics Using the Balance of Leadership Theory—2002<sup>68</sup>

Country	McFaul's Classification	FH Score (2002)	Match? (Y/N)
Armenia	Partial Democracy	4	Y
Azerbaijan	Partial Democracy	5.5	N
Belarus	Dictatorship	6	Y
Estonia	Democracy	1.5	Y
Georgia	Partial Democracy	4	Y
Kazakhstan	Dictatorship	5.5	Y
Kyrgyzstan	Dictatorship	5.5	Y
Latvia	Democracy	1.5	Y
Lithuania	Democracy	1.5	Y
Moldova	Partial Democracy	3	Y
Russia	Partial Democracy	5	Y
Tajikistan	Dictatorship	5.5	Y
Turkmenistan	Dictatorship	7	Y
Ukraine	Partial Democracy	4	Y
Uzbekistan	Dictatorship	7	Y

<sup>67</sup> “Freedom in the World 2002,” accessed March 10, 2016, <https://freedomhouse.org/report/freedom-world/freedom-world-2002>.

<sup>68</sup> Adapted from “Freedom in the World 2002”; McFaul, “The Fourth Wave.”

As the table indicates, McFaul's classifications align with the Freedom House assessments of democratic freedoms in all cases except Azerbaijan. While this thesis cannot speculate on why McFaul characterized Azerbaijan as a "Partial Democracy" rather than a "Dictatorship," this chart indicates enough consistency that McFaul's classification of the post-Soviet republics in 2002 can be used as a starting point for investigation.

Returning to Figure 1 and McFaul's Balance of Leadership Theory, the data show that the majority of the post-Soviet republics adhere to the Balance of Leadership Theory. In other words, those countries with a preponderance of power favoring the democrats formed democracies that endured roughly 10 years after independence (measuring from a 1991 date of independence). Similarly, the majority of the countries that had a power-sharing advantage oriented towards the former regime created dictatorships that also lasted nearly a decade after independence. Lastly, most of the countries that had a power balance, rather than an imbalance between the ancien régime and the democratic challengers, developed partial democracies.<sup>69</sup> While not completely consistent with the theory, the data collected and the classifications bestowed by McFaul in 2002 remain convincing.

Also, as the data show, Armenia, Georgia, and Tajikistan fall outside of the expected results. As McFaul explains, "The greatest number of cases defying the analytical framework outlined in this article are countries where the distribution of power was firmly in favor of the challengers yet the regime that emerged after transition was not fully democratic."<sup>70</sup> According to McFaul, both Armenia and Georgia fall into this category. McFaul explains the discrepancy as follows: "These countries share one common problem that the more successful democracies in the region lacked—border disputes. To varying degrees, territorial debates sparked wars in the 1990s in all four of these countries [that is, Armenia, Bosnia-Herzegovina, Croatia, and Georgia]. These

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<sup>69</sup> As McFaul notes, the term "partial democracy" is used as a blanket term for a state that created neither a fully democratic nor a fully dictatorial state. He acknowledges that the term "partial democracy" could be further deconstructed to differentiate between electoral democracies, pseudo democracies, quasi autocracies, competitive autocracies, etc. McFaul, "The Fourth Wave," 227.

<sup>70</sup> McFaul, "The Fourth Wave," 240.

territorial conflicts in turn empowered nationalist leaders with poor democratic credentials.”<sup>71</sup> In Armenia and Azerbaijan, the territorial dispute over the Nagorno-Karabakh Republic continues to be a contentious issue, just as the claims over Abkhazia and South Ossetia remain controversial for Georgia. Interestingly, while both Armenia and Georgia had the same Freedom House score of 4 in 2002, when McFaul published his article, and both had territorial disputes that undermined their ability to develop their democracies, Georgia has progressed since 2002, while Armenia has regressed. Georgia moved up from 4 to 3 in the 14 years following McFaul’s assessment, Armenia moved in the opposite direction from 4 to 5. While outside the scope of this project, a deeper investigation regarding these two countries could offer interesting insights into how the differing natures of these disputes affected each country’s ability to democratize, or its level of democratic success.<sup>72</sup>

In addition to Armenia and Georgia, the last of the exceptions to McFaul’s results, Tajikistan, also experienced exceptional circumstances. Based on the balanced elite power dynamics, the theory would suggest that Tajikistan should have developed a semi-democratic regime. The civil war in the country, however, identifies another crucial factor that hinders democratic development, along with the importance of “territorial clarity as a prerequisite for democratic transition,” in McFaul’s analysis.<sup>73</sup>

Therefore, while these three countries—Armenia, Georgia, and Tajikistan—appear to be exceptions to his thesis in 2002, McFaul explains away these exceptions when he asserts that “to account for these anomalous cases, two more factors must be added to the equation: the presence or absence of territorial disputes and the proximity to the West.”<sup>74</sup> Although the proximity to the West caveat applies more to the Soviet satellites (that is, the non-Soviet members of the Warsaw Pact) than to the post-Soviet

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<sup>71</sup> McFaul, “The Fourth Wave,” 240.

<sup>72</sup> “Armenia Country Report,” accessed March 10, 2016, <https://freedomhouse.org/report/freedom-world/2016/armenia>; “Georgia Country Report,” accessed March 10, 2016, <https://freedomhouse.org/report/freedom-world/2016/georgia>.

<sup>73</sup> McFaul, “The Fourth Wave,” 220. McFaul’s discussion regarding the particulars of Tajikistan can be found in “The Fourth Wave,” 236–238.

<sup>74</sup> McFaul, “The Fourth Wave,” 214, 240.

republics, McFaul's assertions regarding disputes appear applicable to the three outlier republics (Armenia, Georgia, and Tajikistan).

While McFaul can explain the anomalies within the data and results from 2002, this thesis examines how the theory holds up when assessing the post-Soviet republics by their 2016 measures of democratic success. Utilizing the relative power balances between the governing elites at the point of transition from McFaul's 2002 study as the constant, this thesis uses the Freedom House scores from 2016 to see if any of the post-Soviet republics that were consistent with the Balance of Leadership Theory in 2002 no longer align in 2016. McFaul's original assessments of the balance of leadership need not be changed because arguably these foundations were determined by conditions at the point of transition and would not have changed between 2002 and 2016. Table 4 shows McFaul's classifications from 2002 as compared to the 2016 Freedom House data.

Table 4. Assessment of the Post-Soviet Republics Using the Balance of Leadership Theory—2016<sup>75</sup>

Country	McFaul's Classification	FH Score (2016)	Match? (Y/N)
Armenia	Partial Democracy	4.5	Y
Azerbaijan	Partial Democracy	6.5	N
Belarus	Dictatorship	6.5	Y
Estonia	Democracy	1	Y
Georgia	Partial Democracy	3	Y
Kazakhstan	Dictatorship	5.5	Y
Kyrgyzstan	Dictatorship	5	N
Latvia	Democracy	2	Y
Lithuania	Democracy	1	Y
Moldova	Partial Democracy	3	Y
Russia	Partial Democracy	6	N
Tajikistan	Dictatorship	6.5	Y
Turkmenistan	Dictatorship	7	Y
Ukraine	Partial Democracy	3	Y
Uzbekistan	Dictatorship	7	Y

As with the 2002 comparison between McFaul's assessment and the 2002 Freedom House scores, Azerbaijan still does not align with McFaul's assessment using Azerbaijan's 2016 score. In other words, arguably Azerbaijan still should not be classified as a partial democracy in 2016 based on Freedom House scores, just as it should not have been in 2002. More importantly, while Russia and Kyrgyzstan appeared to fit within McFaul's theory in 2002, their 2016 Freedom House scores no longer match McFaul's 2002 categorization. Re-creating the chart provided by McFaul, but using the 2016 Freedom House scores rather than McFaul's assessment, a new picture emerges in Table 5.

<sup>75</sup> Adapted from "Freedom in the World 2016"; McFaul, "The Fourth Wave."

Table 5. Categorization of the Post-Soviet Republics by Leadership Balance and Regime Type—2016<sup>76</sup>

	DICTATORSHIPS	PARTIAL DEMOCRACIES	DEMOCRACIES
BALANCE OF POWER FOR CHALLENGERS		Armenia Georgia	Estonia Latvia Lithuania
BALANCE OF POWER EVEN OR UNCERTAIN	Azerbaijan Russia Tajikistan	Azerbaijan Moldova Russia Ukraine	
BALANCE OF POWER FOR ANCIEN REGIME	Belarus Kazakhstan Kyrgyzstan Turkmenistan Uzbekistan	Kyrgyzstan	

Based on this data, again using the 2016 Freedom House scores to assess which countries fall into the “Democracy,” “Partial Democracy,” and “Dictatorship” categories, three more countries appear outside McFaul’s Balance of Leadership Theory. While Armenia, Georgia, and Tajikistan still do not qualify as democracies, presumably for the same reasons, Azerbaijan, Kyrgyzstan, and Russia now appear outside their predicted categories. Arguably, Azerbaijan should have been considered a “Dictatorship” in 2002 based on its Freedom House score, so the two true “movers” from 2002 to 2016 are Kyrgyzstan and Russia. Interestingly, Kyrgyzstan has fared better than predicted by its relative power balance at transition since the dictators held the hegemonic position at that time. The fact that Kyrgyzstan has managed to develop a “partially free” regime indicates

<sup>76</sup> Adapted from “Freedom in the World 2016”; McFaul, “The Fourth Wave.”

a break from the Balance of Leadership Theory in a positive, increased-democracy way. Russia, on the other hand, has moved in the opposite direction. Despite the relative power balance present in the regime at transition, Russia appears to have continually moved towards institutionalized dictatorship since its independence in 1991.

## **B. CONCLUSIONS BASED ON BALANCE OF LEADERSHIP THEORY**

In regard to the post-Soviet republics, a general overview and regional examination provide insight into the conclusions offered by the Balance of Leadership Theory.

- **General Adherence:** As far as general adherence is concerned, as Michael McFaul indicated in 2002, the majority of the post-Soviet republics achieved levels of democratic success in line with the parameters of the theory. This study re-created McFaul's experiment, using Freedom House scores to check McFaul's classifications, and found that the recreation validated McFaul's findings. The theory proved particularly applicable in 2002, when it was published, but still performed convincingly using 2016 Freedom House numbers. In 2002, the outliers were Armenia, Georgia, and Tajikistan. McFaul's additional caveats explained the outcomes in Armenia and Georgia, while civil war (complicated by ethnic conflict) covered Tajikistan. It appears that McFaul mis-categorized Azerbaijan, based on 2002 Freedom House scores. As mentioned, the theory fared less well in 2016. In addition to Armenia, Azerbaijan, Georgia, and Tajikistan, already explained, the comparison using 2016 Freedom House scores exposed two genuine outliers, Kyrgyzstan and Russia. Still, the fact that 12 out of 15 countries in 2002, and nine out of 15 in 2016, had democratic performance levels consistent with what the theory would expect indicates a convincing, albeit qualified, correlation.
- **Regional Trends**
  - **Baltics:** Considering both 2002 and 2016 data, all three of the Baltic countries had democratic success, as the Balance of Leadership Theory would predict. The Baltic region was the only one to have complete adherence for both time periods. As the only three "free" countries, the Baltic states also had a balance of leadership favoring the democrats.
  - **Caucasus:** The three countries in the southern Caucasus region fared the worst in terms of reaching the democratic levels that the theory expected in light of their relative internal power balances at the point of transition. According to McFaul's initial analysis in

2002, only one of the states from the Caucasus, Azerbaijan, fit the theory. As mentioned, McFaul's classification of Azerbaijan as a "Partial Democracy" seems questionable, particularly in 2016, so perhaps none of the Caucasus states really fit McFaul's theory. The Caucasus faced the same situation in 2016. With Azerbaijan fitting fully into the "Dictatorship" category, none of these three states supported the Balance of Leadership Theory in 2016.

- **Central Asia:** The Central Asian countries appeared to conform more fully to the theory than the countries within the Caucasus region. In 2002, four of the five Central Asian countries reached the expected levels of democracy based on the Balance of Leadership Theory. In 2016, that number fell by one when Kyrgyzstan performed, democratically speaking, better than expected and better than in 2002. In both timeframes, the Central Asian countries had the lowest levels of democratic success overall, and they were the only countries besides Belarus that had internal balances of power favoring autocratic rule. Despite the relative balance of power between the challengers and the ancien regime, Tajikistan managed to achieve the lowest levels of democratic development in the Central Asian region.
- **Eastern Europe:** Like Central Asia, the Eastern European region had more countries align with the theory in 2002 than in 2016. While Kyrgyzstan's democracy improved over the intervening years, Russia's declined. The total adherence to the theory for the Eastern European region in 2002 moved from four to three countries based on the 2016 assessment when Russia's level of democratization fell below what was expected based on its initial leadership balance of power.
- **Overall:** The Balance of Leadership Theory proves convincing with two exceptions. Looking at the levels of democratic freedom in Table A in the Appendix, which considers the levels of democratic freedom for each of the post-Soviet republics since independence, the theory appears to fare well in most cases over time. The major exceptions, Kyrgyzstan and Russia, offer interesting case studies, which are discussed in Chapters V and VI.

### C. DATA ANALYSIS OF THE CONSTITUTIONAL FRAMEWORK THEORY

In light of the advantages and shortcomings of the different constitutional frameworks discussed in the last chapter, an assessment of the post-Soviet republics with respect to the modified Constitutional Framework Theory can commence. Mirroring the steps followed with the Balance of Leadership Theory, the applicability of the

Constitutional Framework Theory will be tested compared to the 2002 and 2016 Freedom House scores for the post-Soviet republics.

Since Stepan and Skach's article did not include any data or classifications similar to those found in McFaul's work, this study cannot independently assess the validity of their categories. Thus, unlike the data in Tables 4 and 5, the information presented in Table 6 is original and based on the following method of classification, beginning with 2002 data for consistency.

Unfortunately, finding a single source that classifies all of the post-Soviet republics by constitutional framework proved more difficult than expected. Instead, a number of sources, all of which considered only some of the post-Soviet states, have been compared and contrasted to find the most accurate categorization. Admittedly, the patchwork of sources is less than ideal, but without sufficient time to evaluate each post-Soviet republic's constitution in accordance with Krouwel's matrix, this solution is the optimal available option. To specify further, the ideal study would compare each country's *original* constitution with Krouwel's matrix in order to determine the first construct developed by the independent state. This is an important distinction as part of the Combined Hypothesis because this study is particularly interested in the type of constitutional framework the initial leaders chose for their independent state. Luckily for this study, most of the scholarly works offer that distinction, providing the constitutional framework for the first constitution, as compared to the amended ones that came later. Also, the states that have amended their constitutions since their first version adopted upon independence, have been examined closely to determine if the fundamental construction of the constitutional framework has been altered. In some cases, it was difficult to find the original version, as only the amended version could be readily found in English, but an effort was made to address this issue. Further research that could more rigorously classify each post-Soviet republic at the point of transition based on its constitutional framework would offer a useful contribution to the understanding of the post-Soviet republics, but for this study, the classifications existing within the current literature will suffice.

The effort to classify the post-Soviet republics by constitutional framework began with the scholarly literature. The data in the study by Stepan and Skach, the foundational work in the Constitutional Framework Theory, covered only the years from 1945 to 1979. The post-Soviet countries (including the former non-Soviet Warsaw Pact states the satellites, not just the former Soviet republics) did not register as part of the study. Since the arguments in the theory had value despite the fact that the study had been written before the post-Soviet republics could be considered, other sources had to be consulted. The CIA World Factbook offered useful classifications under the heading “government type.” Although these descriptions provided valuable information for the current type, they were less useful for the type of constitutional framework developed at the point of transition.<sup>77</sup>

In his study “Comparative Presidencies: The Inadequacy of the Presidential, Semi-Presidential and Parliamentary Distinction,” Alan Siaroff categorized most of the post-Soviet republics, as well as many non-post-Soviet states. His classifications did not extend to the Central Asian states or Azerbaijan, presumably because they did not register as democracies. It is noteworthy in this regard that Stepan and Skach focused solely on democracies as well.<sup>78</sup> For the democracies, though, Siaroff provided highly specific classifications that differentiated between types of constitutional frameworks.

Siaroff’s classifications combined with the World Bank data helped to verify the most comprehensive of the sources, Robert Elgie’s work. The World Bank data is helpful in that it provides an assessment of each post-Soviet republic’s constitutional framework going back several decades, but it only provides a distinction between parliamentary and presidential systems.<sup>79</sup> The combination of the scholarly sources and the World Bank data helped validate Elgie’s unpublished “Presidential Power: Presidents and Presidential

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<sup>77</sup> “CIA World Factbook,” Central Intelligence Agency, accessed April 7, 2016, <https://www.cia.gov/library/publications/the-world-factbook/geos/us.html>.

<sup>78</sup> Siaroff, “Comparative Presidencies.”

<sup>79</sup> “World Bank Database of Political Institutions 2012,” accessed April 7, 2016, <http://go.worldbank.org/2EAGGLRZ40>.

Politics around the World.”<sup>80</sup> Elgie, the Paddy Moriarty Professor of Government and International Studies at Dublin City University, has published numerous books related to constitutional frameworks. His website, from which his classifications are drawn, covers each of the post-Soviet republics, often specifying to what year the classification refers. Comparing and contrasting the various lists, showed that few classifications differ. In most instances, Siaroff’s detailed work resolved the inconsistencies. If Siaroff had not considered a particular country, Elgie’s classification was used due to the year supplied and the general extensiveness of his work. Table C in the Appendix shows the overlapping studies.

In the search for a single source that provided a classification of the constitutional structure of each of the post-Soviet republics, the importance of the distinction between a presidential construct and a mixed one came into question. In fact, Stepan and Skach focused their study solely on “pure” systems—pure parliamentarianism and pure presidentialism—rather than including the mixed, or semi-presidential, frameworks. Much of the difficulty in distinguishing between constitutional constructs arose between presidential and mixed systems. As the previous definitions demonstrated, much of the distinction between the systems, particularly the presidential and mixed, is a matter of degree. For instance, does the president “have considerable powers”? Sometimes, even when the overt structure is plain, it remains difficult to determine the nuances that separate the presidential system from the mixed according to constitutional measures. Even when considering a parliamentary system, all of the post-Soviet constitutions have a prime minister and a president, so without deeper investigation the distinction can be hard to parse out. The overlap of the different studies nonetheless provides a relatively solid basis for the remainder of this investigation. Table 6 compares the post-Soviet republics by their type of constitutional framework against their Freedom House scores in 2002.

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<sup>80</sup> Robert Elgie, “List of Presidential, Semi-Presidential, and Parliamentary Countries,” *Presidential Power Presidents and Presidential Politics around the World*, accessed April 7, 2016, <http://presidential-power.com/?p=1740>.

Table 6. Categorization of the Post-Soviet Republics by Constitutional Framework and Freedom House Classifications—2002<sup>81</sup>

	NOT FREE	PARTIALLY FREE	FREE
PARLIAMENTARY SYSTEMS			<b>Estonia Latvia</b>
MIXED SYSTEMS	<b>Azerbaijan Belarus Kazakhstan Kyrgyzstan</b>	<b>Armenia Georgia Moldova Russia Ukraine</b>	<b>Lithuania</b>
PRESIDENTIAL SYSTEMS	<b>Tajikistan Turkmenistan Uzbekistan</b>		

The data represented in Table 6 show that the majority of the post-Soviet republics support the Constitutional Framework Theory outlined in this study. Performing about as well as the Balance of Leadership Theory (using 2016 Freedom House scores), the Constitutional Framework Theory shows similar promise. It is noteworthy that, some of the exceptions to the Constitutional Framework Theory are the same as the exceptions to the Balance of Leadership Theory. Table 7 offers a graphic representation of the Constitutional Framework Theory's 2002 results.

<sup>81</sup> Adapted from "Freedom in the World 2002."

Table 7. Assessment of the Post-Soviet Republics Using the Constitutional Framework Theory—2002<sup>82</sup>

Country	Constitutional Framework	FH Score (2002)	Match? (Y/N)
Armenia	Mixed	4	Y
Azerbaijan	Mixed	5.5	N
Belarus	Mixed	6	N
Estonia	Parliamentary	1.5	Y
Georgia	Mixed	4	Y
Kazakhstan	Mixed	5.5	N
Kyrgyzstan	Mixed	5.5	N
Latvia	Parliamentary	1.5	Y
Lithuania	Mixed	1.5	N
Moldova	Mixed	3	Y
Russia	Mixed	5	Y
Tajikistan	Presidential	5.5	Y
Turkmenistan	Presidential	7	Y
Ukraine	Mixed	4	Y
Uzbekistan	Presidential	7	Y

The only exception to both the Balance of Leadership and Constitutional Framework theories (using the 2002 Freedom House scores) was Azerbaijan. New to the exception list from the Constitutional Framework analysis are Belarus, Kazakhstan, Kyrgyzstan, and Lithuania. For each of these five exceptions, the classifications were reviewed again to ensure the most accurate results. While it was impractical to conduct a thorough case study for each exception, a review of the sources previously mentioned was conducted to see if their constitutional frameworks at transition could be interpreted in another way. For instance, all of the sources consulted showed Lithuania as a mixed system in 1992. Today's prevailing perception of Lithuania, according to Jan Zielonka as well as the CIA World Factbook, is that of a parliamentary democracy.<sup>83</sup> Therefore, while the data may indicate that Lithuania's constitutional framework has shifted over time, the crucial consideration is what its first post-independence leaders implemented. It

<sup>82</sup> Adapted from "Freedom in the World 2002."

<sup>83</sup> "CIA World Factbook"; Jan Zielonka, "New Institutions in the Old East Bloc," in *The Global Resurgence of Democracy*, ed. Larry Diamond and Marc F. Plattner, 2nd. ed. (Baltimore: The Johns Hopkins University Press, 1996), 210.

is important to recall that the Combination Hypothesis attempts to link the balance of power of the *initial* elites with their *initial* constitutional framework choices.

Using the same “constitutional framework” variable, the post-Soviet republics were assessed in light of the Constitutional Framework Theory using the 2016 Freedom House scores. Table 8 presents the results of this comparison.

Table 8. Categorization of the Post-Soviet Republics by Constitutional Framework and Freedom House Classifications—2016<sup>84</sup>

	NOT FREE	PARTIALLY FREE	FREE
PARLIAMENTARY SYSTEMS			Estonia Latvia
MIXED SYSTEMS	Azerbaijan Belarus Kazakhstan Kyrgyzstan Russia	Armenia Georgia Kyrgyzstan Moldova Russia Ukraine	Lithuania
PRESIDENTIAL SYSTEMS	Tajikistan Turkmenistan Uzbekistan		

<sup>84</sup> Adapted from “Freedom in the World 2016.”

Again, as with the 2002 data, the post-Soviet republics mostly aligned with the results anticipated by the Constitutional Framework Theory. The results turned out to be almost exactly the same, with one change. Table 9 provides an additional representation of the data.

Table 9. Assessment of the Post-Soviet Republics Using the Constitutional Framework Theory—2016<sup>85</sup>

Country	Constitutional Framework	FH Score (2016)	Match? (Y/N)
Armenia	Mixed	4.5	Y
Azerbaijan	Mixed	6.5	N
Belarus	Mixed	6.5	N
Estonia	Parliamentary	1	Y
Georgia	Mixed	3	Y
Kazakhstan	Mixed	5.5	N
Kyrgyzstan	Mixed	5	Y
Latvia	Parliamentary	2	Y
Lithuania	Mixed	1	N
Moldova	Mixed	3	Y
Russia	Mixed	6	N
Tajikistan	Presidential	6.5	Y
Turkmenistan	Presidential	7	Y
Ukraine	Mixed	3	Y
Uzbekistan	Presidential	7	Y

The 2016 data showed five exceptions, as in 2002, but with some countries changing positions. While Kyrgyzstan stood out from the results in 2002, but not 2016, Russia emerged as an exception in 2016, but not 2002. Basically, these two nations switched positions from 2002 to 2016. With Azerbaijan, Belarus, Kazakhstan, and Lithuania remaining the exceptions in both years, the switch shows that during this period Kyrgyzstan managed to increase its level of democratic success—from 5.5 to 5—while Russia’s democracy took a turn for the worse, falling from 5 to 6 over the same period.

<sup>85</sup> Adapted from “Freedom in the World 2016.”

#### D. CONCLUSIONS BASED ON CONSTITUTIONAL FRAMEWORK THEORY

Despite the difficulty in finding a single authoritative source to classify each of the post-Soviet state's original constitutional frameworks, the Constitutional Framework Theory provides valuable insight regarding the development of democracy in the post-Soviet republics. While the Constitutional Framework Theory, as outlined in this study, expands upon Stepan and Skach's original argument, the inclusion of all 15 of the republics in this study offered an additional layer as analysis. Therefore, the conclusions based on the data from the examination of the Constitutional Framework Theory follow:

- **General Adherence:** As far as general adherence is concerned, the majority of the post-Soviet republics achieved levels of democratic freedom consistent with what the theory would suggest. For five of the fifteen cases, however, their constitutional framework at transition did not translate into the levels of democratic development predicted by the theory. These numbers applied to both assessments, those using 2002 and those using 2016 Freedom House data. Four out of the five exceptions were the same countries for both years, Azerbaijan, Belarus, Kazakhstan, and Lithuania. The final exceptions, Kyrgyzstan in 2002 and Russia in 2016, rounded out the outliers.
- **Regional Trends:** For each region, the majority of the post-Soviet republics had levels of democratic success that matched what their chosen constitutional framework would suggest. Each region had at least one exception. Central Asia had two exceptions in 2002, and Eastern Europe had two in 2016.
  - **Baltics:** As opposed to the Balance of Leadership Theory, all three Baltic states did not conform to the predicted parameters of the Constitutional Framework Theory. The exception, Lithuania, achieved a greater level of democratic success than its mixed constitutional framework would have suggested as probable based on the theory. How Lithuania managed to increase its levels of democratic freedom, in fact rising steadily since its 2.5 level at independence to achieve a 1 in 2005 (and every year since), despite the inherent risks of a mixed constitutional framework offers an interesting option for an additional case study.
  - **Caucasus:** As with the Baltic states, two out of the three states in the Caucasus had democratic freedoms consistent with what their constitutional frameworks would suggest. Azerbaijan, the outlier here as well, had lower Freedom House scores than its mixed system would predict. As with Lithuania, Azerbaijan would prove

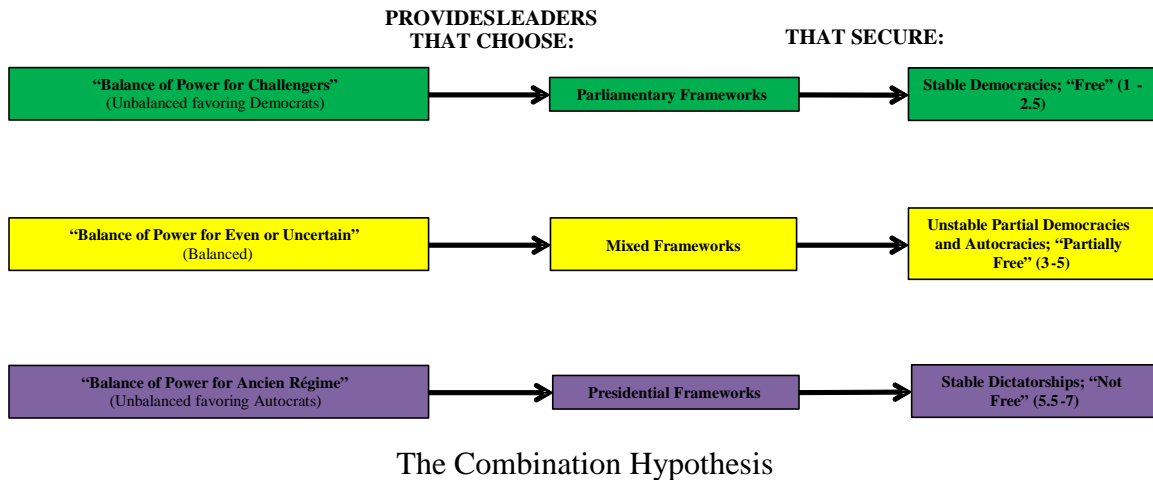
an interesting case study. It would be advantageous to gain a greater understanding of how Azerbaijan's circumstances cause it to defy theoretical expectations. Armenia and Georgia had scores that a mixed framework would suggest, with Georgia faring better in regard to Freedom House scores than Armenia.

- **Central Asia:** As in the other regions, the countries in Central Asia mostly aligned to the Constitutional Framework Theory's predictions, but the region also had two exceptions in 2002, Kazakhstan and Kyrgyzstan, and one exception in 2016, Kazakhstan. Faring better in 2016 than in 2002, Kyrgyzstan's transition from "not free" to "partially free" raises questions about temporal circumstances for both of these theories. The fact that Kyrgyzstan managed to improve over time, more in line with what the constitutional framework would suggest, raises the question, does it take a certain amount of time for the effects of the choice of constitutional framework to become manifest?
- **Eastern Europe:** The Eastern European post-Soviet republics appeared to match the theory in 2002 before Russian democracy declined beyond what the theory would have predicted. With Russia the only mover in its level of democratic performance between the two time periods, the other countries in the Eastern European region held stable over time. Belarus acted as the greatest outlier. Despite the fact that all of the Eastern European republics chose mixed constitutional frameworks, Belarus' level of democracy consistently fell lower than those of the others. Even with Russia's low Freedom House scores today, the scores are still lower in Belarus, a neighbor that reached Russia's current score in 1996.
- **Overall:** The Constitutional Framework Theory appears to be as convincing as the Balance of Leadership Theory. Roughly the same number of post-Soviet republics behaved as the theory would predict as compared to the Balance of Leadership Theory. The only countries that demonstrated movement within the theory, or that conformed during one period and not during another, were Kyrgyzstan and Russia. The data show Kyrgyzstan's increase in democratic freedom, and Russia's democratic reversal.

## E. DATA ANALYSIS OF THE COMBINATION HYPOTHESIS

Upon entering into the research, the author hypothesized that a connection between the two theories was plausible. More specifically, something about the findings of the two theories sparked the idea that a combination of the two would more effectively

explain the varying levels of democratic success in the post-Soviet states. As a reminder, Figure 3, presented here again, depicts the Combination Hypothesis.



The results of analyzing the two theories, determining how well each explained the levels of democratic success for the post-Soviet republics, showed equal levels of applicability for the two theories separately, using the current levels of democratic development (2016 Freedom House scores). While each theory had roughly the same number of exceptions in 2016, the exceptions differed between the Balance of Leadership Theory and the Constitutional Framework Theory. Table 10 provides a chart that shows which post-Soviet republics fit each of the theories in 2016, with the countries listed from with greatest levels of democratic freedom (based on Freedom House’s overall comparative score) to lowest levels of democratic freedom.

Table 10. Assessment of the Post-Soviet Republics Using the Balance of Leadership Theory and Constitutional Framework Theory<sup>86</sup>

Country	Adhere to Balance of Leadership Theory (Y/N)	Adhere to Constitutional Framework Theory? (Y/N)	Outcome
Estonia	Y	Y	2/2
Latvia	Y	Y	2/2
Lithuania	Y	N	1/2
Georgia	N	Y	1/2
Armenia	N	Y	1/2
Moldova	Y	Y	2/2
Ukraine	Y	Y	2/2
Azerbaijan	N	N	0/2
Russia	N	N	0/2
Tajikistan	N	Y	1/2
Kyrgyzstan	N	Y	1/2
Belarus	Y	N	1/2
Kazakhstan	Y	N	1/2
Turkmenistan	Y	Y	2/2
Uzbekistan	Y	Y	2/2

The fact that the analyses did not show the same exceptions indicates that the two theories may not be inextricably tied. For instance, despite the fact that Lithuania had an imbalance of leadership favoring the democrats, the country chose to implement a mixed constitutional framework, rather than using parliamentarianism as the other two Baltic states did. The fact that Lithuania still managed to secure high levels of democratic freedoms proves exceptional.

The picture provided in Figure 4 offers another visual representation of the data collected in the Combination Hypothesis. In essence, this chart “tracks” the movement of each post-Soviet republic through both theories. Their current level of democratic success (measured by the 2016 Freedom House scores) appears at the end, to the far right. Those countries with an imbalance favoring the democrats at the point of transition are shown in green; those with an imbalance favoring the dictators are in purple; and those countries

<sup>86</sup> The comparative score in the Freedom House refers to the column furthest to the right on Table 1. Scores range from 1 to 100, with 1 meaning the lowest levels of democratic freedom, and 100 equaling the highest levels of freedom. Adapted from “Freedom in the World, Table of Scores,” accessed March 10, 2016, <https://freedomhouse.org/report/freedom-world-2016/table-scores>.

with a relative balance at transition in yellow. These colors correspond with the Freedom House scores that each country should be expected to attain based on the Combination Theory. The six countries that behaved as the Combination Hypothesis would predict have all capital letters in the last column.

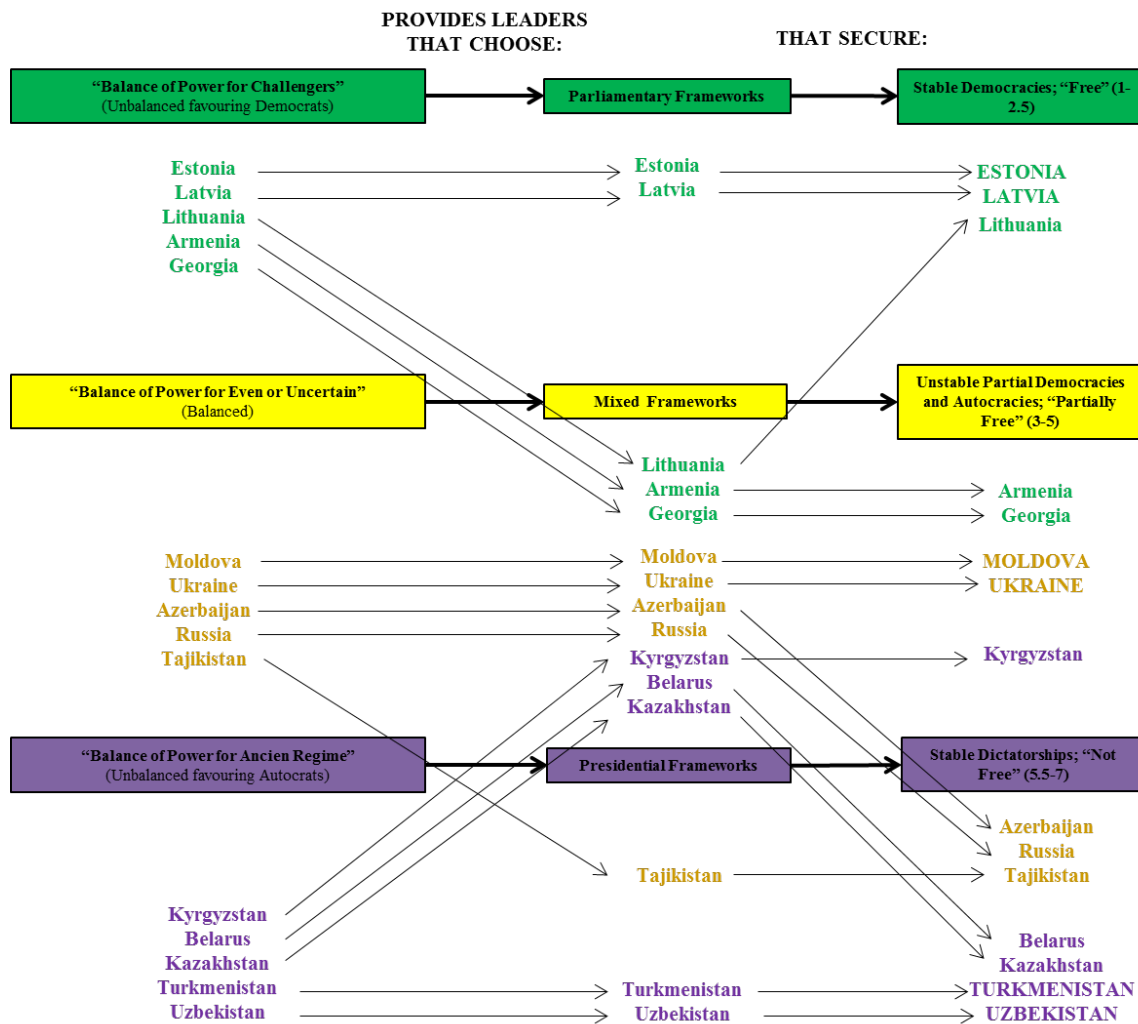


Figure 4. The Combination Hypothesis Applied to the Post-Soviet Republics

Figure 4 looks complicated because there are fewer straight lines indicating consistency with the Combination Hypothesis than anticipated. Table 11 presents the same information, but in a different format. Essentially, Figure 4 and Table 11 show the determinist version. Rather than simply tabulating the results of the two theories

separately, as Table 10 did, Table 11 takes the balance of leadership at transition as the starting point. It then asks, “based on that internal balance of power, did the post-Soviet republic choose the constitutional framework as predicted by the leadership balance?” If so, the second column gets a Y; if not, an N. From there, if the Constitutional Framework Theory were to *determine* the next step, the question would become “did the country attain the level of freedom that the Constitutional Framework Theory would expect?” (Y/N). Based on the answers to these questions, using the current, 2016 Freedom House data, the determinist chart in Table 11 emerges.

Table 11. Assessment of the Post-Soviet Republics Using the Combination Hypothesis

Country	Based on Balance of Leadership Theory - Chose Correct Constitutional Framework? (Y/N)	Based on Constitutional Framework Theory - Achieve Predicted Level of Freedom? (Y/N)	Outcome
Estonia	Y	Y	2/2
Latvia	Y	Y	2/2
Lithuania	N	N	<b>0/2</b>
Georgia	N	Y	1/2
Armenia	N	Y	1/2
Moldova	Y	Y	2/2
Ukraine	Y	Y	2/2
Azerbaijan	Y	N	1/2
Russia	Y	N	1/2
Tajikistan	N	Y	1/2
Kyrgyzstan	N	Y	1/2
Belarus	N	N	<b>0/2</b>
Kazakhstan	N	N	<b>0/2</b>
Turkmenistan	Y	Y	2/2
Uzbekistan	Y	Y	2/2

Still, the fact that the examination indicates that the Combination Hypothesis applies to six of the 15 countries gives some credibility to the proposed correlation. The Combination Hypothesis does not appear to explain the levels of democracy more persuasively than each of the theories separately. This is logical because if one of the

post-Soviet republics is an exception to one of the foundational theories, it is an exception to the entire Combination Hypothesis. Therefore, the Combination Hypothesis serves to highlight the impact of exceptions. As a reminder, the exceptions to the theory are as follows:

Exceptions		
<u>2002</u>	<u>2016</u>	
Armenia (BOL)	Armenia (BOL)	
Azerbaijan (CFT)	Azerbaijan (BOL)	
	Azerbaijan (CFT)	BOL:
Belarus (CFT)	Belarus (CFT)	Balance of Leadership Theory
Georgia (BOL)	Georgia (BOL)	
Kazakhstan (CFT)	Kazakhstan (CFT)	CFT:
Kyrgyzstan (CFT)	Kyrgyzstan (BOL)	Constitutional Framework Theory
Lithuania (CFT)	Lithuania (CFT)	
	Russia (BOL)	
	Russia (CFT)	
Tajikistan (BOL)	Tajikistan (BOL)	

## F. CHOOSING CASE STUDIES

Ideally, this thesis would have conducted a case study from each of the four sub-regions described in Chapter I. Interestingly, each sub-region included an exception worth examining further. Had time permitted, the following case studies would have been chosen, and for the noted reasons:

- **Baltics: Lithuania**—As the only exception to any of the factors in the Baltic region, this country deserves some attention. How did Lithuania manage to avoid the pitfalls of the mixed constitutional system and maintain such high levels of democratic success? Could the role of the president in the Lithuanian system be constrained by constitutional means? Does the amount of presidential political power serve as the key distinction, not only in mixed systems, but in presidential ones as well? In either case, of the three Baltic states, Lithuania was the only exception, and therefore the best case study option.
- **Caucasus: Azerbaijan**—Of all the regions, the Caucasus seemed the least likely to resemble the expected results from the Theories or the Combination Hypothesis. While Armenia and Georgia failed to reach the democratic levels expected in light of their leadership balance, they fared better in regard to the Constitutional Framework Theory. Azerbaijan, on the other hand, had far less success. Failing to perform in accordance with

either theory, Azerbaijan continues to demonstrate levels of democratic practice below expectations. Like Russia, to be discussed shortly, Azerbaijan seems to have unique circumstances that undermine its efforts to pursue democracy success. Azerbaijan and Russia act as the only dual-exception countries in this framework of analysis based on 2016 data.

- **Central Asia: Kyrgyzstan**—Overall, the Central Asian countries offer little hope when it pertains to establishing and maintaining democratic freedoms. They are the lowest performers on the democratic freedom scale, with the possible exception of Kyrgyzstan. Despite its modest size and economic shortcomings, Kyrgyzstan's democratic standing appears to have improved since transition. What accounts for its relative success and recent democratic development? Is the key factor its mixed constitutional framework? Why has the initial leadership imbalance favoring the ancien régime failed to weigh down Kyrgyzstan's democracy?
- **Eastern Europe: Russia**—The inability to forecast Russia's current levels of democratic freedom—by the Balance of Leadership Theory, the Constitutional Framework Theory, or the Combination Hypothesis—makes Russia one of the most significant exceptional cases in this study. Somehow, despite the relative balance of power among the early leaders, and the mixed constitutional framework, Russia has defied both factors to develop a government that grows increasingly dictatorial, rather than one that oscillates between the two extremes or becomes more democratic.

Unfortunately, space does not permit an examination of one post-Soviet republic from each region. For that reason, two countries have been selected, Kyrgyzstan and Russia. The two countries emerged from different contexts, one (Kyrgyzstan) with an internal power imbalance that gave the previous elites more influence in the new regime, while the other (Russia) struggled with a balance of power that was comparatively even between the old regime and the democratic challengers. Unexpectedly, the political leaders that had to overcome the dictatorial imbalance in Kyrgyzstan managed to do so, achieving higher levels of democracy than expected. Conversely, despite the theoretical predictions, the country with a more equal internal power balance, Russia, lost democratic practices over time, developing a regime that grows increasingly overbearing and less democratic. Azerbaijan and Russia were the two cases that defied both the Balance of Leadership and Constitutional Framework Theories in 2016, and these two countries showed downward, or increasingly dictatorial, trends. Kyrgyzstan was chosen for a case study instead of Azerbaijan in order to examine a country that performed better

than anticipated. Therefore, based on the analysis conducted in this chapter, the remainder of this thesis examines the development of the political circumstances in Kyrgyzstan and Russia to see if a more historical approach can provide a greater understanding of the post-Soviet experiences with democratic reform.

## V. CASE STUDY—RUSSIA

The post-Soviet period has had a Dickensian flavour for Russia—it has been the worst of times, followed by better times.

—Journalist Justin Burke<sup>87</sup>

The Russian case study examined at the particulars of the Russian transition and initial conditions following independence in 1991 to determine why the country defied both the Balance of Leadership Theory and the Constitutional Framework Theory (and therefore the Combination Hypothesis). Despite having a balance within the leadership at the point of transition, as well as initially creating a mixed constitutional framework, Russian democracy never fully materialized and has moved continuously towards full-fledged dictatorship since independence. This analysis focuses on the leadership composition directly after the transition, mainly in 1991–1993, and how those elites influenced the enactment of the initial constitution. While the implications of these factors are discussed, particularly in the context of McFaul’s 2002 assessment and Russia’s current level of democratic development, a detailed discussion of Russian politics from 1994 through 2016 is not the focus of this analysis.

### A. HISTORICAL OVERVIEW AND KEY EVENTS

Many factors contributed to the transition of the consolidated Union of Soviet Socialist Republics into 15 separate sovereign nations, but Mikhail Gorbachev’s introduction of semi-competitive elections surely played an important role.<sup>88</sup> Rather than attempting to democratize the country, Gorbachev’s elections were designed to purge the conservative ranks of the Communist Party in order to further reform state institutions,

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<sup>87</sup> Justin Burke, “Post-Soviet World: What You Need to Know about the 15 States,” *Guardian*, June 9, 2014, <http://www.theguardian.com/world/2014/jun/09/-sp-profiles-post-soviet-states>.

<sup>88</sup> Richard Sakwa, *Gorbachev and His Reforms 1985–1990* (New York: Prentice Hall, 1991), 134.

and promote economic change through the policies of *glasnost* and *perestroika*.<sup>89</sup> Using elections as a political weapon, Gorbachev managed to get himself elected as the chairman of the Congress and president of the Soviet Union, and was poised to execute his desired reforms. Unfortunately for him, the elections also created an “explosion of grassroots political activity throughout Russia” that unleashed opposition to his power.<sup>90</sup> As a result, “two main camps,” the democrats and the communists, began to vie for power in the Soviet Union.<sup>91</sup>

As part of this power struggle, the leader of the democrats, Boris Yeltsin (a former Politburo candidate member) opposed the status quo of the ancien régime and orchestrated the development of the Democratic Russia party.<sup>92</sup> The electoral success of Democratic Russia in the 1989 and 1990 elections caused disunity within the Soviet Union and prompted many of the supreme soviets, including the Russian Congress of People’s Deputies, to declare independence from the USSR.<sup>93</sup> This growing division, combined with the Russian presidential election in June 1991, led conservatives in the Soviet government to attempt a power seizure through a coup in August 1991.<sup>94</sup> The failure of the effort solidified Yeltsin’s influence and ultimately helped precipitate the end of the Soviet Union in December 1991.<sup>95</sup>

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<sup>89</sup> Gyula Jozsa, “The Heart of Gorbachev’s Reform Package: Rebuilding the Party Apparatus,” in *The Soviet Union 1998–1989: Perestroika in Crisis?*, ed. The Federal Institute for Soviet and International Studies (Boulder, CO: Westview Press, 1990), 23–23, 29.

<sup>90</sup> Michael McFaul and Nikolai Petrov, “Chapter 2: Elections,” in *Between Dictatorship and Democracy: Russian Post-Communist Political Reform*, ed. Michael McFaul, Nikolai Petrov, and Andrei Ryabov (Washington, DC: Carnegie Endowment for International Peace), 30.

<sup>91</sup> Ibid.

<sup>92</sup> Vladimir Gel’man, *Authoritarian Russia: Analyzing post-Soviet Regime Changes* (Pittsburgh: University of Pittsburgh Press), 38.

<sup>93</sup> McFaul and Petrov, “Chapter 2: Elections,” 31.

<sup>94</sup> John B. Dunlop, “Anatomy of a Failed Coup,” in *The Soviet System: From Crisis to Collapse*, ed. Alexander Dallin and Gail W. Lapidus (Boulder, CO: Westview Press, 1995), 595.

<sup>95</sup> Thomas M. Nichols, *The Russian Presidency: Society and Politics in the Second Russian Republic* (New York: Palgrave, 2001), 21–42; Timothy J. Colton, “Chapter 1: Politics,” in *After the Soviet Union*, ed. Timothy J. Colton and Robert Legvold (New York: W.W. Norton, 1992), 19–21.

Due in part to continued power struggles among the elites, this time between factions in the newly empowered democrats, Yeltsin postponed key political actions when he assumed power.<sup>96</sup> Yeltsin,

in December 1991 dissolved the USSR. But he did not push for ratification of a new constitution even though he had a draft in hand, and he refrained from convoking a post-communist founding election. Instead, Yeltsin and his new government used their political mandate to initiate economic transformation.<sup>97</sup>

Yeltsin's decision to focus on economic issues rather than political reform meant that he failed to secure a new electoral mandate to rule after the end of the USSR, and failed to enact a popularly supported constitution that outlined the "rules of the game."<sup>98</sup> Instead, the existing constitution, a legacy document from the Soviet days, left ambiguity and confusion regarding the roles and responsibilities of the parliament and the president.<sup>99</sup>

As a result, both Yeltsin and the Congress attempted to use elections and referendums to solidify their power, particularly the referendum in April 1993.<sup>100</sup> While Yeltsin won this referendum over the anti-Yeltsin coalition, the results were not definitive enough to end the political stalemate that faced the governing elites. In an attempt to increase his relative influence, Yeltsin chose to use Presidential Decree 1400 to dissolve the Russian Congress in September 1993 and call for a referendum in order to adopt a new constitution.<sup>101</sup> Congress reacted by impeaching Yeltsin and making his vice president, Aleksandr Rutskoi, the new president.<sup>102</sup> In response, as in August 1991, Yeltsin looked to the use of force to further his political ambitions. In contrast with the failed coup of 1991, however, Yeltsin and his supporters emerged victorious in October

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<sup>96</sup> Gel'man, *Authoritarian Russia*, 50.

<sup>97</sup> McFaul and Petrov, Chapter 2: Elections," 33–34.

<sup>98</sup> Ibid., 34.

<sup>99</sup> Gel'man, *Authoritarian Russia*, 49.

<sup>100</sup> Thomas F. Remington et al., "Transitional Institutions and Parliamentary Alignments in Russia, 1990–1993," in *Parliaments in Transition*, ed. Thomas F. Remington (Boulder, CO: Westview Press, 1994), 174–176.

<sup>101</sup> McFaul and Petrov, "Chapter 2: 'Elections,'" 36.

<sup>102</sup> Ibid.

1993, successfully using the military to secure their position.<sup>103</sup> Yeltsin capitalized on the momentum gained from his actions to ensure approval for his preferred version of the constitution in December 1993.<sup>104</sup>

As Vladimir Gel'man and other authors argue, the foundation laid down by the Yeltsin coalition's constitution had a profound impact on the Russian state, particularly in regard to institutions.<sup>105</sup> Yeltsin, however, was unable to capitalize fully on this success. His presidential power was still constrained in a number of ways that demonstrated his weakness, as well as the disunity of the opposition.<sup>106</sup> A combination of issues, including the state of the economy, his health concerns, political infighting, and questions regarding his personal reputation, caused Yeltsin to spend most of the period from 1993 through 1999 struggling to maintain access to power for himself and his supporters.<sup>107</sup>

Despite these difficulties, Yeltsin managed to provide successfully for his family and loyal insiders by ensuring the election of a loyal bureaucrat, Vladimir Putin, who appeared to lack his own power base at the time, and would be dependent on Yeltsin's network to maintain power.<sup>108</sup> Yeltsin resigned as president in December 1999, in order to launch an earlier election cycle in March rather than June, in accordance with the constitutional rules. In doing so he ensured that Putin, as the prime minister, would become the acting president and could take advantage of the position as well as the timeline.<sup>109</sup> As anticipated, Putin secured his own political mandate in the March 2000

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<sup>103</sup> Timothy J. Colton, "Introduction: The 1993 Election and the New Russian Politics," in *Growing Pains: Russian Democracy and the Election of 1993*, ed. Timothy J. Colton and Jerry F. Hough (Washington, DC: Brookings Institution Press, 1998), 5–6.

<sup>104</sup> McFaul and Petrov, "Chapter 2: 'Elections,'" 36.

<sup>105</sup> Gel'man, *Authoritarian Russia*.

<sup>106</sup> Peter Reddaway and Dmitri Glinski, *The Tragedy of Russia's Reforms: Market Bolshevism against Democracy* (Washington, DC: United States Institute of Peace Press, 2001), 309–315.

<sup>107</sup> Ibid.; Dale R. Herspring, *Putin's Russia: Past Imperfect, Future Uncertain* (New York: Rowman & Littlefield, 2005), 3, 6.

<sup>108</sup> Richard Rose, William Mishler, and Neil Munro, *Popular Support for an Undemocratic Regime: The Changing Views of Russians* (Cambridge: Cambridge University Press, 2011), 43; input from Dr. Mikhail Tsypkin.

<sup>109</sup> Herspring, *Putin's Russia*, 3, 6.

elections, capitalizing on his popularity gained (in part) through his strategic use of crucial current events such as the Moscow bombings and the war in Chechnya.<sup>110</sup>

Like Yeltsin, Putin initially faced political infighting and power struggles due to the relative balance of power among the elite interests. As his time in office progressed, however, Putin managed to build up a loyal coalition, of which he was the unquestioned leader, and he solidified his political dominance.<sup>111</sup> He accomplished this feat through use of the existing institutions, elections, the appointment of loyal friends to key positions, and an increased role of the state apparatus.<sup>112</sup> These tactics forced an “imposed consensus” on the elites, and mitigated potential threats to his power among the oligarchs or the regional leaders.<sup>113</sup> Putin was so successful that he “was the only node in the center of the linkages: nobody else among the elite had personal influence even slightly comparable to that of the dominant actor.”<sup>114</sup> Putin continued to cultivate his power and influence throughout the 2000s, bolstered by favorable economic conditions, to ensure that a Putin-led government became the only game in town.<sup>115</sup>

Recent drops in oil prices, however, have contributed to growing economic woes for Putin as compared to the 2000s. In order to prevent civil discontent as a result of the increasingly difficult economic situation, the Kremlin has tried to manage the public “through the distraction of foreign interventions” in Georgia, Ukraine, and Syria. In addition, crackdowns on civil liberties and political freedoms have helped Putin maintain his hold on power, unfortunately contributing to the deteriorating levels of democracy in Russia.<sup>116</sup>

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<sup>110</sup> Gel'man, *Authoritarian Russia*, 65–66.

<sup>111</sup> *Ibid.*, 74–75.

<sup>112</sup> Rose, Mishler, and Munro, *Popular Support*, 46–49.

<sup>113</sup> Gel'man, *Authoritarian Russia*, 75–76.

<sup>114</sup> *Ibid.*, 75.

<sup>115</sup> Herspring, *Putin's Russia*; Rose, Mishler, and Munro, *Popular Support*, 49.

<sup>116</sup> “Russia Country Report,” accessed March 10, 2016, <https://freedomhouse.org/report/freedom-world/2016/russia>.

## B. REVIEW OF RUSSIAN RESULTS AGAINST THE COMBINATION HYPOTHESIS

The previous section explained the basic timeline and events since Russia's transition from the Soviet Union into an independent state. Now, a review of Russia's adherence to the theories and Combination Hypothesis sets the stage for further, and deeper, analysis of how Russia's balance of leadership and chosen constitutional framework affected these events.

As a review, in regard to the Balance of Leadership Theory, in 2002 Russia had a balance between the old regime and the reformers at transition and a “partially free” regime.<sup>117</sup> With a Freedom House score of 5, Russia adhered to McFaul's assessment. This Freedom House score from McFaul's 2002 date of assessment proves higher than those demonstrated earlier in Russia's post-transition evolution. Table 12 shows Russia's Freedom House scores since 1991.

Table 12. Freedom House Scores for Russia—1991–2016<sup>118</sup>

RUSSIA		Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Average
Current Freedom Model	Freedom Score		3	3.5	3.5	3.5	3.5	3.5	3.5	3.5	4	4.5	5	5	5	5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	4.826923
	Civil Liberties		3	4	4	4	4	4	4	4	4	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	
	Political Rights		3	3	3	3	3	3	3	3	4	4	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	

As the table shows, by 2016, however, Russia's situation no longer appeared consistent with McFaul's results, as the state had regressed into a full-blown “not free” country, with a Freedom House score of 6.

<sup>117</sup> As a reminder, one of the foundational documents of this thesis, McFaul's article, was published in 2002 and therefore this analysis considers the political situation during 2002 throughout the analysis. The key dates and the reason they have been chosen are as follows: 1) 1991—date of independence, used to establish the initial level of democratic development, 2) 1989–1993—dates in which the initial leadership emerged, used to determine the leadership balance at the point of transition as well as the actions taken during this period to develop the initial constitution, 2) 1993—enactment of the initial constitution, used to determine the constitutional framework, 3) 2002—date McFaul's article was published, the foundational piece of the Balance of Leadership Theory, used to evaluate McFaul's classifications of the initial power balance, 4) 2016—the current levels of democracy, used to applicability of the Balance of Leadership Theory, Constitutional Framework Theory, and the Combination Hypothesis.

<sup>118</sup> Freedom House scores from 1975–2016. Adapted from “About Freedom in the World,” accessed April 7, 2016, <https://freedomhouse.org/report-types/freedom-world>. Freedom in the World Report.

Similarly, Russia's political system supported the Constitutional Framework Theory in 1991 and 2002 when the mixed constitutional framework aligned with its "partially free" status. In 2016, however, Russia's mixed framework no longer supported the theory, because the theory would not have predicted the lower levels of democratic freedom experienced by Russia.

If Russia adhered to both theories in 1991 and 2002, and neither in 2016, what accounts for the discrepancy that developed over the years? In other words, what accounts for the early "adherence" and the later "regression?" A deeper look at both factors, the balance of leadership and the constitutional framework, will address the following to determine what the Russian case study says about the Balance of Leadership Theory, the Constitutional Framework Theory, and the Combination Hypothesis:

- What was the power balance of the Russian leadership at transition (1991–1993)? Was McFaul's assessment in 2002 correct?
- Does this power balance explain why Russian democracy was consistent with the Balance of Leadership Theory in 2002, but not in 2016?
- What type of constitutional framework did the elites develop in the initial Russian constitution of 1993? Does this constitutional framework match the classification found in the scholarly literature discussed in Chapter III?
- Does the constitutional framework chosen explain why Russian democracy was consistent with the Constitutional Framework Theory in 2002, but not in 2016?

## **C. RUSSIAN LEADERSHIP IN THE POST-SOVIET ERA**

The following section begins by providing the important evidence needed to understand the balance of power among the elites in the post-Soviet context, and uses that information to offer conclusions regarding the role of leadership in Russia's democratic development.

### **1. Evidence**

In order to assess the balance of power within Russia during the phase of transition, several different leadership dynamics were considered between 1989 and 1993 (when the constitution was adopted). This analysis assumes that the leadership dynamics

were “in balance” when political infighting and power struggles affected the government’s ability to function and address needed reforms, yet no clear leader emerged, and the institutions were unable to deal with the stalemate. Several groups fit this definition in 1989–1993, particularly when taking into consideration Russia’s unique transition from the USSR. The research shows that, regardless of the group considered, during this time a balance existed between the relevant elites except in two main instances. Both periods of imbalance were brief and characterized by the use of force.

The first relevant example of elites vying for power involved the loyalists to the old Soviet regime and the newly established “democrats” that emerged during the late 1980s before the dissolution of the Soviet Union. While technically not the leadership balance at the *point of transition*, as this dynamic existed prior to the end of the Soviet Union, the impact of the power struggle between these two groups contributed to the existence and character of a sovereign Russia. Michael McFaul and Nikolai Petrov explain that “organizationally and ideologically, Russian politics had become polarized into those supporting the old order and those behind Democratic Russia.”<sup>119</sup> Essentially, the power distribution was balanced between those in the Gorbachev camp who wanted the status quo, and those that fought against it in the Yeltsin coalition. While a balance existed before the attempted coup in 1991, the democrats emerged from the coup having temporarily seized the majority, thus solidifying their position and helping to bring down the Soviet regime.<sup>120</sup>

While the democrats emerged victorious after the failed use of force, they did not assume their leadership role as a united front. Thus, the second relevant example of elite power struggle occurred at the point of transition as Russia took its first actions as a sovereign nation. The power struggle in 1991 was between competing interests within the victorious democratic coalition. Essentially, Yeltsin and the other elites that came into power as part of the wave of enthusiasm about democratic prospects lacked the

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<sup>119</sup> McFaul and Petrov, “Chapter 2: “Elections,” 31.

<sup>120</sup> Gavriil Popov, “The Coup Revisited,” *The Soviet System: From Crisis to Collapse*, ed. Alexander Dallin and Gail W. Lapidus (Boulder, CO: Westview Press, 1995), 622–646.

organization and ideological unity required of an “imbalance of power.” Vladimir Gel'man explains this disunity by describing the make-up of the winners of the coup:

The newly emerged winning coalition around Boris Yeltsin in 1990-1991 was largely ad hoc and based upon a negative consensus against the previous status quo and the Soviet rulers led by Gorbachev. It involved market-oriented liberals, anti-Communists who often called themselves ‘democrats’ but also shared Sobchak’s notions (‘we are in power; that is democracy’), rent-seekers from various interest groups, and some officials who shifted their preferences toward the new winners at the right time.<sup>121</sup>

Thus, within the “democrats,” a group united only in its stance against the status quo, factions arose once the coalition had wrested power from the ancien régime and created another unstable balance of power between elites. Once more, as Gel'man explains, “the allies (if not friends) of August 1991 turned into mortal enemies as early as 1992.” As a result, the coalition of “democrats” proved volatile at best.<sup>122</sup> Yeltsin was popular among the Russian public directly following the coup, but his power within elite circles was not sufficient to make his leadership unassailable, particularly in regard to his dealings with the legislature.<sup>123</sup>

As a result of this power struggle between Yeltsin and the legislature, the elites spent a great deal of effort between December 1991 and October 1993 creating coalitions and finding ways to increase their power.<sup>124</sup> This represents the third example of an elite power balance. Much of this infighting pitted Yeltsin and his loyalists against the elites in parliament, taking a significant amount of their time and attention.<sup>125</sup> “The winning coalition around Yeltsin in October 1991 had no incentives for building democracy,” Gel'man argues, “not because of their personal stances but because of the lack of rational motivation to risk voluntarily losing power.”<sup>126</sup> Essentially, the elites were so focused on

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<sup>121</sup> Gel'man, *Authoritarian Russia*, 50.

<sup>122</sup> Ibid., 51.

<sup>123</sup> Remington et al, “Transitional Institutions,” 163.

<sup>124</sup> Ibid., 170–177.

<sup>125</sup> Gel'man, *Authoritarian Russia*, 51.

<sup>126</sup> Ibid., 50.

keeping their access to power, since they still considered it uncertain, that they neglected democracy and failed to agree regarding the future of reforms.

Tensions continued to rise, and Yeltsin found himself clashing with the Congress of People's Deputies in 1992 over the new draft of the Russian constitution and the selection of a prime minister, among other issues. "Political maneuvering during the following months of 1992," Gel'man explains, "did not resolve the rising conflict between Yeltsin and the parliament, but rather exacerbated it."<sup>127</sup> The power struggle, balanced between the president and the legislature, came to a head and Congress scheduled a referendum for April 1993 asking for the public's confidence in the president and government of Russia, and whether or not to call early elections.<sup>128</sup>

As a result of the referendum, new founding elections became inevitable, and disputes over the constitution gained traction. Tension, caused in part by unresolved disagreements regarding the content and power distributions in the draft constitution, contributed to Yeltsin's decision to launch a coup in September 1993.<sup>129</sup> First, Yeltsin dissolved the parliament in September 1993, and announced new elections for December 1993.<sup>130</sup> The parliament, with its own sources of power, voted to impeach Yeltsin, and frustration grew. Rather than reaching a cooperative solution since neither group held a majority of the power, both groups continued to try to solidify their majority.

When parliamentary supporters started riots during a rally in Moscow on 3 October 1993, Yeltsin seized the moment and had army troops shell the parliament residence in order to force a change in power dynamics.<sup>131</sup> According to Gel'man,

this was a zero-sum solution to the inraelite conflict: Yeltsin and his team effectively eliminated their rivals, who had lacked public support; the very idea of executive accountability before the legislature was buried, as was

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<sup>127</sup> Gel'man, *Authoritarian Russia*, 52.

<sup>128</sup> Robert G. Moser, "Executive-Legislative Relations in Russia, 1991–1999," in *Russian Politics*, ed. Zoltan Barany and Robert G. Moser (Cambridge: Cambridge University Press, 2001), 64.

<sup>129</sup> Editors of Current Digest of the Soviet Press, "A Coup Chronology," in *The Soviet System: From Crisis to Collapse*, ed. Alexander Dallin and Gail W. Lapidus (Boulder, CO: Westview Press, 1995), 582–595.

<sup>130</sup> Moser, "Executive-Legislative Relations," 64.

<sup>131</sup> Gel'man, *Authoritarian Russia*, 54.

that of checks and balances. Yeltsin's camp won, and used the outcomes of the conflict to maximize power through the unconstrained creation of new rules of the game.<sup>132</sup>

In other words, rather than allowing the elites to compose the document through cooperation, Yeltsin waited until he had a power imbalance in his favor to move forward with a constitution providing for presidential dominance.<sup>133</sup> This decision was helpful to Yeltsin in securing power for himself and the office of the president, but it had implications for Russian democracy.

## **2. Conclusions**

Despite two brief periods of imbalance, Russia experienced the frustration of power balance throughout the majority of the 1990s. Interestingly, the two periods of imbalance, brought about by attempts to take power by force, created substantial change. The attempted coup in 1991 helped contribute to the fall of the USSR, and the military intervention in 1993 resulted in the approval of the constitution. After these brief imbalances, ultimately the power dynamics became unstable yet again. Even after Yeltsin managed to push the constitution through in 1993, his presidency was mired by intraelite competition. Winning the election in 1996 did not help matters, as Yeltsin was forced to create a cartel-like system to ensure loyalty among the insiders.<sup>134</sup> Putin also dealt with issues of infighting, and it took him several years to consolidate power sufficiently to use the imbalance effectively.

Overall, regardless of the elite dynamics considered, McFaul's assessment as part of the Balance of Leadership Theory proves accurate, for the most part. Three distinct balanced relationships existed in the Russian experience during transition: first, the balance between the reformist communists aligned with Gorbachev and the democrats following Yeltsin; second, the balance between the different factions of elites with the democrats once the Soviet Union ended; and third, the balance between the Yeltsin coalition, centered around the office of the president, and the elites within the Russian

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<sup>132</sup> Gel'man, *Authoritarian Russia*, 54.

<sup>133</sup> Herspring, *Putin's Russia*, 6.

<sup>134</sup> Gel'man, *Authoritarian Russia*, 58.

legislature. Except for two brief interludes—when Yeltsin’s power allowed him to make massive changes—Russian politicians failed to consolidate power and make decisive changes throughout the 1990s.

Elements of the balanced stalemate appeared to keep Russia from sliding too far down the democratic development scale. In 1991, Russia appeared as an independent nation with a Freedom House score of 3, matching its emerging democratic hopes with the fading totalitarian legacy. Unfortunately, Russia’s Freedom House numbers continuously increased, albeit slowly, from 1991 onward. From 1991 to 2003, the leadership failed to consolidate sufficiently to either advance democratic initiatives or create a strong authoritarian regime, and the Freedom House numbers matched, keeping Russia in the “partially free” category. It was not until 2004 that Russia crossed from a “partially free” regime to a “not free” regime with a 5.5 on the Freedom House scale. Interestingly, this shift correlated with Putin’s increased power concentration as he entered into his second presidential term.

The Freedom House numbers may say more about power centralization than about either of the theories, but the fact that in 2002 power had not yet been consolidated in Russia, and the country still had a “partially free” status (with a score of 5 on the Freedom House scale) suggests a correlation between Russia’s mid-range level of democracy and the balance between the elite factions. When a power balance clearly no longer existed in 2016, with Putin solidly in charge, Russia’s Freedom House score matched, coming in with a 6 on the scale.

The deeper look into Russia’s balance of leadership shows support for McFaul’s theory and assessments, confirming an initial balance of leadership at transition in 1991. It also suggests that the balance of power between Russian elites, regardless of the time frame, correlates strongly with Freedom House measures of democracy—the more imbalance, the less democracy.

Since power balances may change over time, the Combination Hypothesis suggests that the decisively important balance of power is the one that exists as the

founding institutions, or constitutional frameworks, are formed. The next section examines the constitutional framework that Russia created.

#### **D. RUSSIA'S CONSTITUTIONAL FRAMEWORK**

The following section begins by providing the important evidence needed to define the type of constitution developed in the post-Soviet context, and uses that information to offer conclusions regarding the role of constitutional framework in Russia's democratic development.

##### **1. Evidence**

The previous section confirmed that the power dynamics among Russian leaders at the point of transition in 1991 was balanced, yet ineffectual, as power competition remained the elites' primary focus, rather than policy development or reform.<sup>135</sup> Yeltsin's ability to solidify his influence after military action in 1993 created a brief imbalance that allowed a limited group of individuals to control the political situation at the point of constitutional transition. The following paragraphs outline the type of constitution that had been developing prior to 1993, and the version that emerged as a result of the imbalance in 1993. This analysis also assesses the approved version of the constitution against Krouwel's criteria mentioned in Chapter III.<sup>136</sup>

While many of the elites focused their efforts on winning elections and consolidating power in 1991–1993, a special group was tasked to modify the acting constitution of 1990.<sup>137</sup> This provisional constitution was based on the 1978 Russian Soviet Federative Socialist Republic (RSFSR) Constitution, and was an “offspring of the 1977 USSR ‘Brezhnev’ Constitution.”<sup>138</sup> In order to further that effort, the Congress of

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<sup>135</sup> David Lane, “Political Elites under Gorbachev and Yeltsin in the Early Period of Transition: A Reputational and Analytical Study,” in *Patterns in Post-Soviet Leadership*, ed. Timothy J. Colton and Robert C. Tucker (Boulder, CO: Westview Press, 1995), 44–47.

<sup>136</sup> Krouwel, “Measuring Presidentialism and Parliamentarism.”

<sup>137</sup> Viktor Sheinis, “The Constitution,” in *Between Dictatorship and Democracy: Russian Post-Communist Political Reform*, ed. Michael McFaul, Nikolai Petrov, and Andrei Ryabov (Washington, DC: Carnegie Endowment for International Peace), 57.

<sup>138</sup> Ibid.

People's Deputies created the Constitutional Commission in 1990. Although commissioned under the Soviet Union, interestingly, the group had several democratically minded individuals that contributed substantially to the project. According to Viktor Sheinis, a member of the commission, "several of the deputies, and additional expert lawyers brought into the working group who were well known for their consistent democratic stance—altogether some 15 to 20 people—carried out the real development of the text of the new constitution."<sup>139</sup> Even with a democratic influence, however, debate over the constitutional framework ensued. In fact, from the beginning two differing mindsets emerged regarding the fundamentals of the constitution.

These approaches were so different, Sheinis reports that their drafts had to be presented separately.<sup>140</sup> The first approach was labeled the "president as head of executive branch approach" and was supported by a majority of the working group.<sup>141</sup> Sheinis offers the following details:

According to this approach, the president would head the government as well as form and lead the apparatus of the federal executive branch. This version did not foresee an office of chair of government, and gave the president the right to nominate ministers, whose appointment—but not removal—would be subject to parliamentary approval. This version did not mention the government and placed its functions in the category of presidential powers.<sup>142</sup>

Essentially, this approach promoted a highly presidential version of the constitution, one that "eschewed not only the parliamentary, but also the semipresidential" model as well.<sup>143</sup>

Conversely, Viktor Sheinis and others promoted a version that balanced power between the legislature and the president more evenly, which they called the "government accountable to parliament approach."<sup>144</sup> This version was designed to limit the president's role by having the lower house of the parliament approve the chief

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<sup>139</sup> Sheinis, "The Constitution," 57.

<sup>140</sup> *Ibid.*, 59.

<sup>141</sup> *Ibid.*, 57–67.

<sup>142</sup> *Ibid.*, 59.

<sup>143</sup> *Ibid.*, 57–67.

<sup>144</sup> *Ibid.*, 57.

executive's nomination for the head of government, confirm the mandate to form the government, take votes of confidence/no confidence in the government, as well as force the government's resignation.<sup>145</sup> Importantly, this version ensured that the rules allowing for a greater balance and separation of powers would be outlined in the constitution.

As mentioned, despite the upswing in democratic support that occurred in 1991, Russia failed to enact a democratic constitution. The longer the debate over the content of the constitution continued, the more "eclectic and compromise-ridden" the draft became, as each side worked to determine the relative roles of the president and the parliament.<sup>146</sup> The languishing draft emerged alongside the continued power struggle among the elites, but failed to solidify during the stalemate.

As the debates between Yeltsin and the Congress continued, the advancements made through compromise in the Constitutional Commission waned and conflict broke out.<sup>147</sup> The dispute seemed to come to a head in 1993 when a "deep constitutional crisis ensued."<sup>148</sup> Many in the Congress were unwilling to make changes to the status quo, and risk their own political stability, so they therefore clung to the composite, yet safe, makeshift version of a new constitution that had been cobbled together.

The problems in reaching consensus became moot, however, when the game changed dramatically with President Yeltsin's consolidation of power following the 1993 referendum.<sup>149</sup> The shift in power also represented a change in direction in regard to the constitutional development.<sup>150</sup> Viktor Sheinis explains this shift, noting that despite the work and effort conducted for years leading up to the events of 1993 the following occurred:

Launching the game preemptively, the president presented the new draft constitution immediately after his victory in the referendum. This was a

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<sup>145</sup> Sheinis, "The Constitution," 57.

<sup>146</sup> Ibid., 60.

<sup>147</sup> Lilia Shevtsova, "Parliament and the Political Crisis in Russia, 1991–1993," *Democratization in Russia: The Development of Legislative Institutions*, ed. Jeffery W. Hahn (London: M. E. Sharpe, 1996), 40–41.

<sup>148</sup> Sheinis, "The Constitution," 62.

<sup>149</sup> Herspring, *Putin's Russia*, 6.

<sup>150</sup> Ibid.

significant move. As the chairman of the Constitutional Commission, the president disavowed the draft that the commission's working group had prepared and the Congress's conservative majority had amended, and produced a new draft.<sup>151</sup>

Deviating from the tirelessly constructed agreements of the preceding years, the "presidential" draft was published on 30 April 1993.<sup>152</sup> On the plus side, the draft offered clarity on a number of disputed issues, but overall, Yeltsin's draft proposed reducing the political power of the parliament and increasing the executive's ability to introduce critical laws regarding taxes, loans, and the state budget.<sup>153</sup> In addition, the April 1993 draft increased the power of the president significantly, particularly in regard to power over the parliament and the issuance of political decrees and executive orders.<sup>154</sup>

A newly convened Constitutional Assembly worked to consolidate the 30 April 1993 draft with the previous version from the Constitutional Commission. The Assembly did not get a chance to unveil the combined draft, however, before Yeltsin's attempts to dissolve parliament in September 1993 and the resulting military action of October 1993.<sup>155</sup> Therefore, as Sheinis observes, "Yeltsin's forceful victory over the Congress in the autumn of 1993 created a new balance of political forces in Moscow, one that was entirely in the president's favor. It was these events that produced the December 1993 constitution and Russia's super-presidential system," and made any cooperative version obsolete.<sup>156</sup>

The coup in October 1993 may prove to be one of the most crucial points in Russia's democratic development. As a result of this victory, Yeltsin consolidated his power enough to push through his draft constitution in December 1993. McFaul and Petrov explain the importance of Yeltsin's actions following his consolidation of power after the October coup: "After Yeltsin's successful use of force against the Congress...the president used his unquestioned power to dictate the new rules of the game...not

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<sup>151</sup> Sheinis, "The Constitution," 63.

<sup>152</sup> *Ibid.*, 57–67.

<sup>153</sup> *Ibid.*

<sup>154</sup> *Ibid.*

<sup>155</sup> *Ibid.*

<sup>156</sup> *Ibid.*, 65; Herspring, *Putin's Russia*, 6.

surprisingly, the new draft constitution gave the president extraordinary powers, compelling some to label the regime a super-presidential system.”<sup>157</sup> In assessing Yeltsin’s “presidential” version, as Chapter III explained, the relative balance of the presidential power is only one factor in understanding constitutional frameworks.

Essentially, regardless of the president-centric constitution Russia adopted once Yeltsin briefly consolidated power in October 1993, Russia’s constitutional framework cannot necessarily be described as presidential simply by examining the power of the president. Theoretically, countries with strong presidents (such as France and the United States) can still have mixed systems as a result of other constitutionally established institutions that help balance executive power with the other branches.<sup>158</sup> It is noteworthy that some scholars did not view the Russian constitution as super-presidential. For instance, when reviewing the 1993 document, (Thomas) “Remington provides a more balanced assessment: ‘Using a typology proposed by political scientists Matthew Shugart and John Carey, we can call the Russian system ‘presidential-parliamentary’” or a mixed system.<sup>159</sup>

In order to evaluate the Russian constitution more fully, the criteria outlined by Krouwel in Chapter III can be used to examine the 1993 constitution across seven dimensions to determine the presidential, parliamentary, or mixed nature of the document.<sup>160</sup> While Krouwel is not the only scholar to suggest that Russia’s constitutional framework from 1993 can be characterized as mixed, his robust system of categorization and measurement offers a detailed explanation of how to reach that conclusion. Unlike many scholars, Krouwel provides a system of measurements that consider a country’s level of presidentialism as well as parliamentarianism.<sup>161</sup> In his work, each constitution is measured on a spectrum, rather than being placed in an absolute category based on the dichotomy between presidentialism and parliamentarianism.<sup>162</sup>

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<sup>157</sup> McFaul and Petrov, “Chapter 2: “Elections,” 36.

<sup>158</sup> Krouwel, “Measuring Presidentialism and Parliamentarism,” 341.

<sup>159</sup> Sheinis quoting Thomas Remington in Sheinis, “The Constitution,” 68.

<sup>160</sup> Krouwel, “Measuring Presidentialism and Parliamentarism.”

<sup>161</sup> *Ibid.*, 346–351.

<sup>162</sup> Krouwel, “Measuring Presidentialism and Parliamentarism,” 340.

According to Krouwel's analysis of twelve Central and East European countries, Russia has the highest score in terms of constitutionally presidential characteristics and the lowest in terms of parliamentary attributes.<sup>163</sup> Krouwel spends a great deal of time outlining the "core dimensions" that determine the "core characteristics" of each constitutional framework.<sup>164</sup> Using data from a variety of sources, Table 13 offers an assessment of Russia in relation to Krouwel's core characteristics.

Table 13. Assessment of the Constitutional Framework of Russia's 1993 Constitution

RUSSIA	Presidential	Parliamentary	Mixed
HEAD OF STATE ELECTIONS	Direct Election of Head of State	Indirect Election of Head of State	Directly Elected President; Government Drawn from Directly Elected Legislative
	X - Presidential		
DISSOLVING GOVERNMENT	President Can Dissolve Parliament and Call Elections	Government/PM Can Dissolve Parliament	President Can Dissolve Parliament and Call Elections
	X - Presidential (with caveats)		
APPOINTING CABINET/MINISTERS	Head of State Directly Involved in Formation of Govt (Appt Ministers)	Head of State Has No Formal Powers in Formation of Govt	The Head of State Can Appoint Ministers that have to be Approved by Parliament
			X - Mixed
WHO IS RESPONSIBLE TO PARLI/VOTE OF INVESTITURE	Government and Ministers Not Responsible to Parliament	Government Needs to Win a Vote of Investiture in Parliament	Government is Responsible to Parliament
			X - Mixed (with caveats)
LEGISLATIVE POWERS	President Can Introduce Legislation and Veto Legislation from Parliament	President Cannot Introduce Legislation Nor Veto Legislation	President Can Introduce Legislation Only Within His Prerogatives
	X - Presidential		
EXECUTIVE POWERS	Head of State Has Executive Powers	Head of State Has No Executive Responsibilities	President has Substantial Executive Prerogatives, but Most Executive Power Rests with PM and Cabinet
	X - Presidential		
NO CONFIDENCE	Government Can Ignore a Parliamentary Vote of No Confidence	Government Must Resign if it Loses a Vote of Confidence	Government Must Resign if it Loses a Vote of Confidence
	X - Presidential		

<sup>163</sup> Krouwel, "Measuring Presidentialism and Parliamentarism."

<sup>164</sup> Ibid.

As Table 13 indicates, Russia falls mostly into the presidential and mixed side of the measurements. Of the seven indicators, Russia has five more “presidential” characteristics, two “mixed” tendencies, and no purely “parliamentary” leanings. In fact, Krouwel often points out the uniqueness of Russia’s constitution as compared to the eleven other countries in his study based on the number of presidential characteristics Russia exhibits. He notes, “In one state (the Russian Federation) the level of presidentialism reaches almost the maximum score.”<sup>165</sup> This characterization is not denoting the relative level of presidential power in comparison to the legislature (while the two might be related), but instead indicates that the constitutional framework that Yeltsin and his supporters chose to develop legally enshrines powers typical of a presidential system. The following explanations helped develop Table 13. In many cases the Russian constitution had elements of a presidential framework, with elements of balanced (mixed) power dynamics, or conversely, a mixed framework, with a presidential power imbalance. In these cases, the blurring of the lines was apparent. Essentially, Russia demonstrates (mostly) presidentialism in the following ways:

- (Head of State Elections) The president is directly elected vice indirectly elected by the government. The president appoints head of the government with consent from the legislature. This arrangement is more presidential than mixed because the Duma can reject the nomination for the chairman of the government, but if it does so three times, the president can dissolve the Duma and call for new elections.<sup>166</sup>
- (Dissolution of the Government) Aside from the example just mentioned, the Russian constitution places the ability to dissolve the Duma with the president according to Article 84, which states: “The President of the Russian Federation shall dissolve the State Duma in cases and according to the rules fixed by the Constitution of the Russian Federation.” The rules apply to votes of investiture and no confidence, discussed in the following paragraphs. Russia is not considered mixed in this regard because while the head of government or the Duma may begin the process to dismiss the parliament or government, the decision ultimately comes back to the president.<sup>167</sup>

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<sup>165</sup> Krouwel, “Measuring Presidentialism and Parliamentarism,” 346.

<sup>166</sup> “The Constitution of the Russian Federation,” Articles 111 and 117, accessed June 6, 2016, <http://www.constitution.ru/en/10003000-01.htm>.

<sup>167</sup> Ibid., Articles 84, 111, and 117.

- (Legislative Powers) The president can introduce legislation according to Article 104, or as Levent Gonenç explains, “Presidents serving under President-parliamentary constitutions, like those serving under pure-presidential constitutions, have significant legislative powers.”<sup>168</sup> The wide political purview of the president makes this aspect more presidential than mixed. Additionally, the president can veto the legislation initiated by the government.
- (Executive Powers) The constitutional right for the president to issue decrees and orders is documented in Article 90 of the constitution, which also extends the scope of the executive’s power.<sup>169</sup>
- (No Confidence) Votes of no confidence may be initiated either by the State Duma to the Government of Russia, or by the Chairman of the Government to the Duma. What makes this process presidential is that when a majority of votes is reached by the Duma, the President can either announce the resignation of the government or reject the decision of the Duma. If this happens again within three months, the President must then decide to either dismiss the government or dissolve the parliament. Likewise, if the Government presents a no confidence motion to the Duma, and the Duma agrees, again the President must decide to either relieve the government, or dissolve the Duma and call for new elections.<sup>170</sup> Ultimately, the process involves both the legislature/government and the chief executive, but the chief executive always decides, and the burden of risk is taken by the legislature/government.<sup>171</sup>

Russia demonstrates a mostly mixed framework in the following ways:

- (Appointing Cabinet and Ministers) Krouwel explains the dynamics in Russia by stating that “the power to appoint ministers (including the prime minister) and influence the individual ministerial portfolio allocation and/or party composition of the government” was split between the president and the parliament. Russia’s case is unique in another way, however: if the parliament votes no on the president’s candidate for prime minister three times, the president can dissolve the legislature and call for

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<sup>168</sup> “The Constitution of the Russian Federation,” Article 104; Levent Gonenç, *Prospects for Constitutionalism in Post-Communist Countries* (The Hague: Martinus Nijhoff, 2002), 300.

<sup>169</sup> “The Constitution of the Russian Federation,” Article 90; Gonenç, *Prospects for Constitutionalism in Post-Communist Countries*, 301.

<sup>170</sup> “The Constitution of the Russian Federation,” Articles 84, 111, and 117; Gonenç, *Prospects for Constitutionalism in Post-Communist Countries*, 299.

<sup>171</sup> *Ibid.*

new elections.<sup>172</sup> This demonstrates a mixed framework, with a slight power imbalance towards the president.

- (Responsibility to the Parliament/Vote of Investiture) Krouwel specifically states, “In Russia, the president can ignore the loss of a vote of investiture,” but Gonenç explains further: “While the Cabinet usually needs the confirmation of the Assembly of its composition, the President has the right to appoint the Prime Minister...(with the consent of the Parliament) and Cabinet ministers (upon the recommendation of the Prime Minister).”<sup>173</sup> In other words, in the Russian system; since the President appoints directly and indirectly the head of the government and the cabinet, the vote of investiture is less important. This is regarded as a mixed structure, since both the legislature and the executive participate. Since the president can dissolve the Duma, however, if his nominee for prime minister is not accepted, this borders on presidential.

## 2. Conclusions

Overall, the constitution draft approved in 1993 had a mixed framework dominated by presidential characteristics. As the research shows, pieces of the mixed framework exist within a mostly presidential structure, with very few parliamentary influences working to prevent a power concentration in the office of the president. The timing and method Yeltsin chose to bring the constitution into effect indicates that the balance of power among the elites was solely with the president when the constitution was approved.<sup>174</sup> In other words, Yeltsin was not forced to collaborate with other factions to develop a different, perhaps more balanced, form of constitutional framework outlining governmental institutions like the ones that had been under development in 1990–1993.<sup>175</sup> In essence, Yeltsin used the power imbalance he created through political and military action to force through a constitution more suited to his priorities, rather than working through the Constitutional Commission’s consensus.

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<sup>172</sup> Krouwel, “Measuring Presidentialism and Parliamentarism,” 347; Gonenç, *Prospects for Constitutionalism in Post-Communist Countries*, 299.

<sup>173</sup> Krouwel, “Measuring Presidentialism and Parliamentarism,” 347; Gonenç, *Prospects for Constitutionalism in Post-Communist Countries*, 297–298.

<sup>174</sup> Robert Sharlet, “Post-Soviet Constitutionalism: Politics and Constitution-Making in Russia and Ukraine,” in *Russia and Eastern Europe after Communism: The Search for New Political, Economic, and Security Systems*, ed. Michael Kraus and Ronald D. Liebowitz (Boulder, CO: Westview Press, 1996), 18.

<sup>175</sup> Ibid.

The fact that the 1993 constitution was adopted, giving a great deal of power to the president, may explain how both Yeltsin and Putin were successful in using the institutions in order to rule by decree and solidify power through constitutionally legal methods.<sup>176</sup> Since the institutions were developed intentionally by Yeltsin to favor the office of the president, rather than through a cooperative effort, the framework appears greatly susceptible to executive influence. Tellingly, neither president felt the need to change significantly the constitution during his terms in office, perhaps because they benefited substantially from its provisions.

Had the original constitution been developed during any of the periods in which the president was constrained by the balance of power with his competitors, perhaps a compromise constitution might have emerged that was less beneficial to the executive. Much of the work to develop a compromise (because of the power balance) occurred between 1990 and 1993, as just described in the previous section. Instead, the constitution created when Yeltsin was politically powerful ended up being one with a mixed framework, notable for its strong presidential components, which has arguably contributed to Russia's difficulty in achieving greater democratic development.

In addition, the ability of the executive to take advantage of the constitution may help explain why Russia failed to adhere to the Constitutional Framework Theory in 2016. Essentially, the constitution was ripe for presidential exploitation since its inception in 1993, but it was not until Putin managed to centralize his power starting roughly in 2004 that the document was utilized more fully. Arguably, had Yeltsin been politically stronger in the late 1990s (or perhaps had other political circumstances been different), he would have taken his constitutionally mandated power further. Conversely, had a compromise constitution developed in 1993, the document might have created more institutions to constrain the chief executive, perhaps even Putin.

Since the constitutional framework did not change significantly over the years, the Constitutional Framework Theory does not explain Russia's declining Freedom House

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<sup>176</sup> Timothy J. Colton and Michael McFaul, "Putin and Democratization," in *Putin's Russia: Past Imperfect, Future Uncertain* (New York: Rowman & Littlefield, 2005), 14; "The Constitution of the Russian Federation," 90; Gonenç, *Prospects for Constitutionalism in Post-Communist Countries*, 301.

numbers. Instead, the mixed system offered neither the right balance to constrain the executive nor the capacity to nudge the country towards higher levels of democratic freedoms. Perhaps the mixed framework offers the best mirror for the leadership: if the leaders are democratic, a mixed framework can help distribute power to different branches of government and support democracy, but if the leaders are authoritarian, the mixed framework can be used to further power centralization and lower political freedoms.

#### **E. SUMMATION—CONSIDERING THE COMBINATION HYPOTHESIS**

The Combination Hypothesis suggests that the initial balance of leadership is crucial because this balance helps determine the makeup of the elite group that creates the constitutional framework. Essentially, the critical link is between the elites at transition and the constitution they develop. In that regard, Russia meets the requirements of the Balance of Leadership Theory, the Constitutional Framework Theory, and the Combination Hypothesis in unexpected ways. First, since the elites loyal to Yeltsin waited until they had a favorable power imbalance before revealing their constitutional framework, they ensured the adoption of the version that politically benefitted the office of the president. In essence, McFaul was right about his balance categorization in that it benefitted the non-democrats and has led to an authoritarian regime. He simply emphasized the wrong time. The elites were balanced when a sovereign Russia was created in 1991, but that was not the crucial point in Russia's political development. Rather, when the power was imbalanced towards the non-democratic leaders at the point of *constitutional* transition, the important institutions were developed.

These institutions support the Constitutional Framework Theory and the Combination Hypothesis in a second unexpected way. Even though technically the constitutional framework was mixed, its strong presidential character and the method by which it was adopted make it understandably conducive of authoritarianism. In that way, Stepan and Skach were correct in holding constitutional framework mattered.<sup>177</sup>

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<sup>177</sup> Details explained in Chapter III.

Overall, Russia can be seen as consistent with the Combination Hypothesis in that Russia's imbalanced "balance of leadership" at the point of constitutional transition created a constitutional framework with a strong presidential character. It is completely understandable that a "not free" regime (to use the Freedom House classification) would develop out of a framework that constitutionally centralizes so much unrestricted power in the office of the president.

## VI. CASE STUDY—KYRGYZSTAN

Having acquired independence Kyrgyzstan very quickly gained a reputation as an ‘island of democracy’ located in a sea of dictatorships and countries ravaged by civil strife.

—John Anderson<sup>178</sup>

The case study for Kyrgyzstan will follow the same format as the Russian version. Again, the emphasis will be on the elite dynamics when Kyrgyzstan set out as an independent state, and the initial constitution. As with Russia, the most relevant events occurred between 1989 and 1993.

### A. HISTORICAL OVERVIEW AND KEY EVENTS

Kyrgyzstan’s transition from a republic in the Soviet empire to an independent state developed tumultuously, combining political, economic, and nationalist issues. Politically, Askar Akaev had been selected to the presidency of the Supreme Soviet in 1990, when the previous leader, Absamat Masaliyev, had been discredited by his perceived mishandling of the clash between the Kyrgyz and Uzbek communities in the southern city of Osh.<sup>179</sup> Part of Akaev’s appeal to the Soviet leadership, particularly to Gorbachev, was his intellectual background as a physicist and his reformist mentality.<sup>180</sup> Seen as an outsider, Akaev was chosen as a compromise figure by the Party elites, and found himself the head of state before Kyrgyzstan declared its independence in August 1991 and before the dissolution of the USSR in December 1991.<sup>181</sup> In fact, President

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<sup>178</sup> John Anderson, *Kyrgyzstan: Central Asia’s Island of Democracy?* (Amsterdam: Hardwood Academic, 1999), 23.

<sup>179</sup> Giampaolo R. Capisani, *The Handbook of Central Asia: A Comprehensive Survey of the New Republics* (London: I.B. Tauris, 2000), 208; Gonenc, *Prospects for Constitutionalism in Post-Communist Countries*, 199.

<sup>180</sup> Charles Undeland and Nicholas Platt, *The Central Asian Republics: Fragments of an Empire, Magnets of Wealth* (New York: The Asian Society, 1994), 41.

<sup>181</sup> Tom Everett-Heath, *Central Asia: Aspects of Transition* (London: Routledge Curzon, 2003), 113.

Akaev had already faced public elections once, in October 1991, by the time Kyrgyzstan officially became an independent state.<sup>182</sup>

Although Kyrgyzstan did not have to begin its newly acquired independence with a leadership void or a power struggle, having recently reaffirmed Akaev's mandate in October 1991 and the legislature's in February 1990, the transition from status as a republic within the Soviet Union to that of an independent state was not without difficulties.<sup>183</sup> As with many of the post-Soviet republics, Kyrgyzstan was plagued with economic hardships and an uncertain political situation early in its transition.<sup>184</sup> Some leaders worried that the "reduction in central involvement" by the Soviet Union "exacerbated existing problems" and that the new government would have difficulty transitioning.<sup>185</sup> To complicate the situation, Kyrgyzstan as a multi-national state faced growing tensions between ethnic and tribal groups within its borders.<sup>186</sup> These divisions, sometimes exploited for political gain, were often split along north-south lines, between Kyrgyz and non-Kyrgyz speakers, and against the substantial Russian population.<sup>187</sup>

The new government confronting these challenges consisted of Akaev as the president and most of the former Soviet insiders now holding positions in the legislature.<sup>188</sup> Between the president and parliament, one of the major concerns facing the governing elites during the early years was the development of a new constitution.<sup>189</sup> The composition of the new constitution required significant discussion and coordination between the different players, but it was finally approved on 5 May 1993.<sup>190</sup>

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<sup>182</sup> Olivier Roy, *The New Central Asia: The Creation of Nations* (New York: New York University Press, 2000), 136.

<sup>183</sup> Capisani, *The Handbook of Central Asia*, 209.

<sup>184</sup> Roy, *The New Central Asia*, 136; Undeland and Platt, *The Central Asian Republics*, 48.

<sup>185</sup> Anderson, *Kyrgyzstan: Central Asia's Island of Democracy?*, 18.

<sup>186</sup> Shireen T. Hunter, *Central Asia since Independence* (Washington DC: The Center for Strategic and International Studies, 1996), 46, 59.

<sup>187</sup> Roy, *The New Central Asia*, 136; Undeland and Platt, *The Central Asian Republics*, 48.

<sup>188</sup> Undeland and Platt, *The Central Asian Republics*, 41.

<sup>189</sup> *Ibid.*, 42.

<sup>190</sup> Gonenç, *Prospects for Constitutionalism in Post-Communist Countries*, 201.

Despite the success of enacting a constitution, Akaev grew frustrated with what he saw as the ineptitude and desire for power displayed by the parliamentary deputies.<sup>191</sup> Although he was initially celebrated as a democratic and market reformer, Akaev tried to address his issues with the parliament by increasing his relative power through referendums and amendments to the constitution.<sup>192</sup> Akaev pushed for major constitutional changes in 1996 that significantly increased the powers of the president compared to the legislature and oversaw another round of changes in 2003 that attempted to mitigate the power centralization of the 1996 version.<sup>193</sup>

Akaev, who was overthrown in the March-April 2005 Tulip Revolution, was not the only chief executive who saw constitutional change. Overall, Kyrgyzstan held numerous referendums since independence and significantly amended the constitution at least three other times in 2006, 2007, and 2010.<sup>194</sup> The debates that precipitated the constitutional changes revolved mainly around power dynamics between the two power centers, the president and the legislature. Essentially, the post-Akaev constitutional changes in 2006 and 2010 worked to undo the legal power centralization Akaev achieved, while the changes in 2007 attempted to reinstate it.<sup>195</sup> Thus, the current version of Kyrgyzstan's constitution is the product of a number of substantive alterations enacted since independence.

Aside from the constitutional debate, throughout the initial period and much of Kyrgyzstan's history as an independent country, accusations of corruption were traded between the president, his loyalists, and members of the legislature, often affecting

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<sup>191</sup> Anderson, *Kyrgyzstan: Central Asia's Island of Democracy?*, 28.

<sup>192</sup> Eugene Huskey, "Eurasian Semi-presidentialism: The Development of Kyrgyzstan's Model of Government," in *Semi-presidentialism outside Europe: A Comparative Study*, ed. Robert Elgie and Sophia Moestrup (London: Routledge Taylor & Francis Group, 2007), 166.

<sup>193</sup> Martha Brill Olcott, *Central Asia's New States: Independence, Foreign Policy, and Regional Security* (Washington, DC: United States Institute of Peace Press, 1996), 92–93.

<sup>194</sup> Jim Nichol, *Kyrgyzstan's Constitutional Crisis: Context and Implications for U.S. Interests* (CRS Order Code RS22546) (Washington, DC: Congressional Research Service, 2007); "BBC Timeline," February 24, 2015, <http://www.bbc.com/news/world-asia-16185772>.

<sup>195</sup> *Encyclopaedia Britannica Online*, s.v. "Kyrgyzstan," accessed June 29, 2016, <https://www.britannica.com/place/Kyrgyzstan#ref599014>.

government effectiveness and objectivity.<sup>196</sup> At times the corruption and infighting led to uprisings and demonstrations from a disconcerted public.<sup>197</sup> From the big protests that led to changes of leadership such as the Tulip Revolution in 2005 and a similar regime change in 2010, to the smaller showings of nationalism or distrust in the government experienced on a more regular basis, Kyrgyzstan contended with a disgruntled populace on a number of important occasions.<sup>198</sup> Civil society in Kyrgyzstan, often a key factor in political events, demonstrated substantial organization and party activity as early as 1990 when the old *nomenklatura* recognized the Democratic Movement of Kyrgyzstan (DMK) as a legitimate political movement.<sup>199</sup>

The relatively active civil society has helped the government of Kyrgyzstan turn over power more frequently than some of the other post-Soviet republics, particularly the other Central Asian countries.<sup>200</sup> For instance, Akaev was removed from power in 2005 during the Tulip Revolution when he fled the country in response to the public pressure.<sup>201</sup> His successor, Kurmanbek Bakiyev, who also abused the power of the presidency during his tenure, was similarly ousted by popular demand in 2010.<sup>202</sup> Since Akaev, Kyrgyzstan has had three presidents (including Bakiyev) and the parliament has held at least five elections since independence.<sup>203</sup> The current president, Almazbek Atambayev, has been in office since 2011, and the current parliament since October 2015.<sup>204</sup>

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<sup>196</sup> Philip Shishkin, *Restless Valley: Revolution, Murder, and Intrigue in the Heart of Central Asia* (New Haven, CT: Yale University Press, 2013).

<sup>197</sup> *Encyclopaedia Britannica Online*, s.v. “Kyrgyzstan.”

<sup>198</sup> Shishkin, *Restless Valley*.

<sup>199</sup> Capisani, *The Handbook of Central Asia*, 208; Hunter, *Central Asia Since Independence*, 50–51; Shirin Akiner, “Post-Soviet Central Asia: Past is Prologue,” in *The New States of Central Asia and their Neighbors*, ed. Peter Ferdinand (New York: The Royal Institute of International Affairs, 1994), 19.

<sup>200</sup> Huskey, “Eurasian Semi-presidentialism,” 172.

<sup>201</sup> *Encyclopaedia Britannica Online*, s.v. “Kurmanbek Bakiyev,” accessed June 29, 2016, <https://www.britannica.com/biography/Kurmanbek-Bakiyev>.

<sup>202</sup> *Ibid.*

<sup>203</sup> “Elections in Kyrgyzstan,” accessed June 29, 2016, <http://www.osce.org/odihr/elections/kyrgyzstan>.

<sup>204</sup> *Ibid.*

## **B. REVIEW OF KYRGYZSTAN'S RESULTS AGAINST THE COMBINATION HYPOTHESIS**

As with Russia, Kyrgyzstan will be evaluated against the Balance of Leadership Theory, the Constitutional Framework Theory, and the Combination Hypothesis using Freedom House scores from 2002, the date of McFaul's article, and the most recent scores from 2016.<sup>205</sup> To review, in regard to the Balance of Leadership Theory, McFaul in his 2002 article classified Kyrgyzstan's post-transition situation as one with a leadership imbalance towards the old regime. This characterization was consistent with the "not free" status given by Freedom House and its 5.5 score at the time, however, proves higher than the 4.5 score Kyrgyzstan had in 1991. Therefore, unlike Russia's experiences with the Balance of Leadership Theory, Kyrgyzstan did not appear consistent with the theory in both 1991 and 2002.<sup>206</sup>

In regard to the Constitutional Framework Theory, the mixed constitutional framework did not align with the Constitutional Framework Theory during the same period (2002), as Kyrgyzstan's Freedom House scores were lower in 2002 than the theory would predict. By 2016, as with 1991, Kyrgyzstan's increase in democratic freedom, albeit by just half of a point, and corresponding "partially free" status, put the country at odds with the Balance of Leadership Theory and consistent with the Constitutional Framework Theory.<sup>207</sup> Essentially Kyrgyzstan's apparent conformity to the theories switched between 1991, 2002, and 2016. What accounts for these reversals?

As with Russia, a deeper look at both factors, the balance of leadership and the constitutional framework, will address the following questions to determine what the

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<sup>205</sup> As with Russia the key dates and the reason they have been chosen are as follows: 1) 1991—date of independence, used to establish the initial level of democratic development, 2) 1990–1993—dates in which the initial leadership emerged, used to determine the leadership balance at the point of transition as well as the actions taken during this period to develop the initial constitution, 2) 1993—enactment of the initial constitution, used to determine the constitutional framework, 3) 2002—date McFaul's article was published, the foundational piece of the Balance of Leadership Theory, used to evaluate McFaul's classifications of the initial power balance, 4) 2016—the current levels of democracy, used to applicability of the Balance of Leadership Theory, Constitutional Framework Theory, and the Combination Hypothesis.

<sup>206</sup> "Freedom in the World 2002."

<sup>207</sup> Freedom House Scores 1975–2016. "About Freedom in the World."

Kyrgyz case study says about the Balance of Leadership Theory, Constitutional Framework Theory, and the Combination Hypothesis:

- What was the power balance of the leadership in Kyrgyzstan at the point of transition (1991)? Was McFaul's assessment in 2002 correct?
- Does this power balance explain why Kyrgyzstan's level of democracy was consistent with the Balance of Leadership Theory in 2002, but not in 2016?
- What type of constitutional framework did the elites develop in Kyrgyzstan's initial constitution of 1993? Does this constitutional framework match the classification found in the scholarly literature discussed in Chapter III?
- Does the constitutional framework chosen explain why Kyrgyz democracy was consistent with the Constitutional Framework Theory in 2016, but not in 2002?

A note about Freedom House scores: Kyrgyzstan's Freedom House scores have fluctuated much more than Russia's.<sup>208</sup> As mentioned in Chapter V, Russia's have scores dropped continuously since 1991. Table 12 is reshown here:<sup>209</sup>

Freedom House Scores for Russia—1991–2016

RUSSIA		Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Average
Current Freedom Status	Freedom Score		3	3.5	3.5	3.5	3.5	3.5	3.5	3.5	4	4.5	5	5	5	5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	4.826923
	Civil Liberties		3	4	4	4	4	4	4	4	4	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	
	Political Rights		3	3	3	3	3	3	3	3	4	4	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	

Russia's scores appear to line up consistently with notable historical events and political dynamics. Looking at just one instance, from 1999 forward, for example, Putin's growing power concentration allowed him to use more and more of the institutional frameworks to his benefit, and the levels of Russian democracy fell accordingly. While this is just one example, a general trend emerges.

Kyrgyzstan's scores, on the other hand, show a different story, one that alludes to a more volatile history, as the changes in Kyrgyzstan's democratic levels were far from

<sup>208</sup> "Kyrgyzstan Country Report," accessed March 10, 2016, <https://freedomhouse.org/report/freedom-world/2016/kyrgyzstan>.

<sup>209</sup> Freedom House Scores 1975–2016. "About Freedom in the World."

smooth and consistent like Russia's.<sup>210</sup> Instead, Kyrgyzstan's democratic levels moved between the “partially free” and “not free” zones and from scores between 3 and 5.5 throughout its post-independence history.<sup>211</sup> Table 14 shows the fluctuations.

Table 14. Freedom House Scores for Kyrgyzstan—1991–2016<sup>212</sup>

KYRGYZSTAN		Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Average
Current Freedom House	Freedom Score		4.5	3	4	3.5	4	4	4	4	5	5	5.5	5.5	5.5	5.5	5.5	4.5	4.5	4.5	4.5	5.5	5	5	5	5	5	5	5	4.730769
	Civil Liberties		4	2	3	3	4	4	4	5	5	5	5	5	5	5	5	4	4	4	4	5	5	5	5	5	5	5	5	
	Political Rights		5	4	5	4	4	4	4	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	

A number of factors contributed to the changing Freedom House evaluations, so the remainder of the case study considers if the balance of the leadership or the constitutional framework had an impact on these scores.

## C. LEADERSHIP IN KYRGYZSTAN DURING THE POST-SOVIET ERA

The following section begins by providing the important evidence needed to understand the balance of power among the elites in the post-Soviet context, and uses that information to offer conclusions regarding the role of leadership in Kyrgyzstan's democratic development.

### 1. Evidence

As mentioned, a certain amount of upheaval occurred prior to the election of Askar Akaev as the first executive president of Kyrgyzstan in 1990.<sup>213</sup> The Chairman of the Supreme Soviet at the time, Absamat Masaliyev, seemed the natural nominee until his

<sup>210</sup> Freedom House Scores 1975–2016. “About Freedom in the World.”

<sup>211</sup> Ibid.

<sup>212</sup> Adapted from Freedom House Scores 1975–2016. “About Freedom in the World.”

<sup>213</sup> Capisani, *The Handbook of Central Asia*, 207–208.

response to the events in Osh discredited him.<sup>214</sup> The agreed upon substitute, Akaev, served as the unexpected compromise candidate who appeared less threatening to the more established, status quo elites. In reality, while Akaev was a member of the Communist Party, he was not a party insider, having spent most of his career as a scientist.<sup>215</sup> In addition, unlike many insiders, Akaev was dedicated to reforming the system.<sup>216</sup> In part for this reason, Akaev faced an attempted coup like his fellow reformer, Gorbachev, also in August 1991.<sup>217</sup> Akaev survived the coup attempt and continued his efforts to reform Kyrgyzstan as an independent state. John Anderson describes Akaev's early political ideology as follows:

In subsequent speeches Akaev made frequent references to the need for marketisation and democratisation to move forward together and, following his selection as president, he showed his openness to newly emerging social forces by meeting with representatives of various groups that had been picketing the parliamentary gathering and then holding a series of meetings with leaders of informal societal organisations.<sup>218</sup>

As expected, Akaev's behavior and position on reform conflicted with the views of the other hold-over elites from the Soviet era.<sup>219</sup>

This disagreement over fundamental policy objectives between Akaev and the other former Soviet leaders illustrates that the elite power was actually fairly balanced in the initial post-Soviet Kyrgyzstan. Anderson explains the situation Akaev faced: "In seeking to build this new, democratic political order, Akaev had to work with a

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<sup>214</sup> Everett-Heath, *Central Asia*, 113. The conflict in Osh occurred between the ethnic Uzbek and ethnic Kyrgyz in June 1990 regarding the local control and use of the valuable land within the Fergana valley. The tensions, which had grown over the years of Soviet control particularly after the valley was divided unnaturally between the Kyrgyz, Tajik, and Uzbek soviets, arose out of both economic and ethnic tensions. Riots erupted in 1990 when a collective farm owned mostly by Uzbeks was redistributed to Kyrgyz nationalists without compensation. The riots that lasted for days and the displacement of Kyrgyz people by their Uzbek neighbors required Soviet intervention and caused death and destruction within the region. The leadership's handling of the crisis, particularly by Masaliyev, undermined the authority of the leaders and furthered the divisions between the northern and southern regions of the country.

<sup>215</sup> Undeland and Platt, *The Central Asian Republics*, 48.

<sup>216</sup> Gonenç, *Prospects for Constitutionalism in Post-Communist Countries*, 199.

<sup>217</sup> Everett-Heath, *Central Asia*, 113.

<sup>218</sup> Anderson, *Kyrgyzstan: Central Asia's Island of Democracy?*, 24.

<sup>219</sup> Gonenç, *Prospects for Constitutionalism in Post-Communist Countries*, 198–199.

constitution created and parliament elected under the old Soviet order” since the elections held in February 1990 returned a majority of the deputies to the Supreme Soviet.<sup>220</sup> Essentially, the group that formed the post-independence parliament received their political mandate during the end of the Soviet times, and continued to hold power until Kyrgyzstan conducted its first post-transition parliamentary elections in February 1995.<sup>221</sup> Akaev, who stood for public elections, albeit unopposed in 1991, governed alongside the same elites whose mandate had not been confirmed by the public during the initial pre-constitutional period.<sup>222</sup> Anderson’s words, as he describes the elite group, particularly those in parliament, explain the situation: “This body very much represented the Kyrgyz elite. Most came from privileged positions, from the families that had dominated the political system during the Soviet period; most were committed to the existing political order, albeit, in some cases, to a reformed version.”<sup>223</sup> Therefore, while Akaev and the legislature had both held power prior to independence, the imbalance among the legislature appears convincingly with the old order. The president’s views, however, differed substantially.<sup>224</sup>

Initially, Akaev consistently clashed with the old elite who now dominated the legislature, representing a new voice in Kyrgyz politics. Akaev’s positions regarding the constitution, the nature of economic and political reforms—among other issues such as national language and the role of religion and tribal ties in the new state—caused significant infighting, coordination, and negotiation inconsistent with a consolidated imbalance of power.<sup>225</sup> Thus, when taking Akaev’s role into consideration, neither the president nor the legislature had enough consolidated power to push through their own version of the constitution or reforms.<sup>226</sup>

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<sup>220</sup> Anderson, *Kyrgyzstan: Central Asia’s Island of Democracy?*, 24.

<sup>221</sup> “The Parliamentary Election in Kyrgyzstan: February 5, 1995,” accessed June 6, 2016. <https://www.csce.gov/>.

<sup>222</sup> Undeland and Platt, *The Central Asian Republics*, 42.

<sup>223</sup> Anderson, *Kyrgyzstan: Central Asia’s Island of Democracy?*, 25.

<sup>224</sup> Undeland and Platt, *The Central Asian Republics*, 41.

<sup>225</sup> Roy, *The New Central Asia*, 136.

<sup>226</sup> Huskey, “Eurasian Semi-presidentialism,” 161.

For this reason, from Akaev's assumption of power until after the approval of the constitution, the executive and legislative branches of the Kyrgyz government kept each other in check and each advocated its own policy objectives.<sup>227</sup> The efforts to develop the constitution, discussed next, prove an excellent example of how the balance of power forced a tense, but cooperative, effort. Of course, this balance could also be seen only as infighting among the members of the old guard, since efforts were taken to keep new candidates out of the process, but the ideological differences regarding market reforms and democracy appear to have separated the elite groups along ideological lines, in addition to political power.<sup>228</sup>

After the enactment of the constitution, however, the power dynamics changed, particularly in response to President Akaev's changing political views.<sup>229</sup> Due to tension between the two branches – which continually grew over the deteriorating economy, and accusations of corruption permeating the elite circles – a stalemate developed, rather than a cooperative environment.<sup>230</sup> Akaev used the December 1993 parliamentary vote of no confidence to dismiss the government, despite the fact the parliament failed to reach the necessary two-thirds required for such action, in an effort to end the impasse and increase his personal power.<sup>231</sup> This appeared to be one of Akaev's first attempts to govern without parliamentary input, but as time went on Akaev used similar tactics numerous times to tip the power balance in his favor.

Perhaps Akaev attempted to increase his power in a sincere effort to push through meaningful reform, but his methods—changing the constitution, dissolving parliament, and silencing media opposition—denoted an apparent shift in his philosophy.<sup>232</sup> According to John Anderson, “Akaev appeared to take a step back from his earlier enthusiasm for liberal democracy, suggesting that the simple application of Western style

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<sup>227</sup> Gonenc, *Prospects for Constitutionalism in Post-Communist Countries*, 199.

<sup>228</sup> Hunter, *Central Asia since Independence*, 59.

<sup>229</sup> Olcott, *Central Asia's New States*, 92.

<sup>230</sup> Huskey, “Eurasian Semi-presidentialism,” 164–166.

<sup>231</sup> Anderson, *Kyrgyzstan: Central Asia's Island of Democracy?* 27.

<sup>232</sup> Undeland and Platt, *The Central Asian Republics*, 42; Olcott, *Central Asia's New States*, 92; Hunter, *Central Asia since Independence*, 59.

parliamentarianism might be inappropriate in the Central Asian context...Akaev argued that this required some rethinking of the balance of power between executive and legislature.”<sup>233</sup> This belief materialized in Akaev’s subsequent actions as a series of “flawed elections and constitutional changes pushed through by the president” indicated that Akaev was “reverting to Central Asian type, with a thin veneer of democratic rhetoric and practice disguising more authoritarian forms of rule.”<sup>234</sup> Essentially, the president’s use of all available methods at his disposal to increase his relative power and push through his objectives signaled an end to his efforts to compromise with the legislature and his decision to rule by unbalanced presidential power.

In a particularly demonstrative example, Akaev amended the constitution in 1996, changing over 50 percent of the document.<sup>235</sup> This action increased the constitutional power of the president considerably, thus ensuring an increased power imbalance in favor of Akaev and his supporters.<sup>236</sup> In doing so, Akaev’s disproportionate share of power changed the political landscape in Kyrgyzstan, ushering in an imbalanced situation that significantly affected levels of democratic development. Akaev’s power concentration continued until its abrupt end in 2005 when he was removed from power.

From that point on, political infighting between the president and his supporters, and other elites in the legislature, characterized the political environment in Kyrgyzstan during the post-Akaev era. The in-groups switched back and forth between factions as each fought for influence and access to power. Details of these competitions, including the accusations of corruption, the civil disturbances, and other significant events are not reviewed here, owing to space constraints and due to the emphasis on the initial period and the initial leadership (Akaev) in this thesis. The important point remains, however, that the post-Akaev political dynamics in Kyrgyzstan were fluid and volatile.

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<sup>233</sup> Anderson, *Kyrgyzstan: Central Asia’s Island of Democracy?*, 49–50.

<sup>234</sup> *Ibid.*, 55.

<sup>235</sup> Nozar Alaomolki, *Life after the Soviet Union: The Newly Independent Republics of the Transcaucasus and Central Asia* (New York: State University of New York Press, 2001), 86.

<sup>236</sup> *Ibid.*

## 2. Conclusions

At first glance, since most of the elites moved from positions in the Soviet government into comparable ones in the new regime, it would be logical to say that there was an imbalance favoring the old regime. On the other hand, however, President Akaev, with his unique background in science and commitment to reforms, served as a successful counter balance to the former Soviet elites who had smoothly transitioned into the legislature and other significant political posts in the new regime.<sup>237</sup> In addition, Akaev's initial commitment to democratic ideals, unlike many elites who resisted reforms, also seems to reflect the distinction McFaul mentioned between elites that favored democracy, and those that did not. Therefore, it is fair to suggest that a power balance between the elites, a balance between their ideas and ideologies and not just their political power, existed in Kyrgyzstan directly following independence between 1991 and 1993. Essentially, McFaul's categorization of a power imbalance favoring the dictators appears to focus heavily on the individuals who remained in office and underemphasizes the role that Akaev played in countering those deputies in parliament who clung to the old regime.<sup>238</sup> The Freedom House score at independence (1991) supports this claim as a 4.5 score and a "partially free" ranking would be more consistent with a balance of power within the leadership, rather than an imbalanced situation that favored the non-democrats.

Looking beyond the initial period of independence at Akaev's growing power concentration after 1993, and the rapid changes in power dynamics and the resulting instability of the post-Akaev era, the longer term situation in Kyrgyzstan also seems to suggest a more balanced beginning than McFaul concluded. As the Balance of Leadership Theory suggests, rather than a consolidated democracy or autocracy resulting from a power imbalance, a third option exists:

In between these two extremes were countries in which the distribution of power between the old regime and its challengers was relatively equal. Rather than producing stalemate, compromise, and pacted transitions to democracy, such situations in the postcommunist world resulting in

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<sup>237</sup> Capisani, *The Handbook of Central Asia*, 208–209.

<sup>238</sup> *Ibid.*, 209.

protracted confrontation, yielding unconsolidated, unstable partial democracies and autocracies.<sup>239</sup>

In essence, based on the evidence, it appears that Kyrgyzstan's political dynamics between 1991 and 1993 fit this "relatively equal" description provided by the theory, and correspondingly threw the country into a pattern of governance that fluctuated between democracy and dictatorship. The political infighting and power competition during this initial period kept Kyrgyzstan from consolidating any particular regime type in the way that Russia or the other Central Asian countries managed, despite several instances in which the regime registered as "not free," possibly signaling a slide towards a stable autocracy.

The first Kyrgyz experience with an authoritarian backlash, and a swing in power dynamics away from the initial balance, occurred as early as 1994 when Akaev began to act in a manner more characteristic of the former regime. By 2005, Akaev had become fully engrossed in increasing his already substantial power in a way more typical of the rulers of other Central Asian states. The Freedom House scores seem to support this conclusion, showing continuous movement towards a less free status from 1994 to 2004. The Freedom House scores from 2002, when McFaul published his article, matched the political situation at the time, showing a 5.5, "not free" rating, at the point when Akaev had increased his power but had not yet lost it to popular demand. Rather than concluding as McFaul did, that the more authoritarian administration emerged due to Akaev's ties to the ancien régime and would therefore lead to long-standing non-democracy, this analysis views the autocratic swing as a response to the balance initially created, in part due to Akaev's initial commitment to democracy, and a momentary shift to be expected of an unconsolidated regime.

The fact that the first authoritarian backlash by Akaev in 1994 was followed by additional power swings throughout the post-Akaev period supports the conclusion that Kyrgyzstan's situation was predictably volatile in a way consistent with an initial balance, rather than firmly authoritarian as an imbalance would suggest. For instance, the

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<sup>239</sup> McFaul, "The Fourth Wave," 214.

power dynamics and democratic levels changed after events in 2005 and 2010 when Akaev and Bakiyev were each popularly ousted from power. After the change in leadership, efforts were made to pursue more democratic policies, representing a shift away from autocracy and toward a partial democracy. These changes illustrate that the initial balance contributed to Kyrgyzstan's inability to consolidate its regime type as either a democracy or an authoritarian form of rule.

Overall, Kyrgyzstan's oscillations between democracy and dictatorship are consistent with McFaul's theory and also help explain Kyrgyzstan's changes in leadership dynamics between 2002 and 2016. As stated, the instability created by the original balance developed an unstable foundation that neither solidified into a full democracy nor a consolidated authoritarian regime. Essentially, the initial leadership power balance led to a partial democracy that fluctuated between extremes, exactly what Kyrgyzstan demonstrated from independence up to its current situation, with the political factions consistently vying for power to differing levels of impact to democratic development. From this perspective, the Balance of Leadership Theory explains the current "partially free," 5 scoring regime, in addition to the volatile Freedom House scores the country has seen over the years, precisely because Kyrgyzstan failed to fall into either category.

In comparison, the leadership dynamics in Kyrgyzstan have been more volatile and have followed a less predictable trajectory than experienced in Russia. Explaining this volatility in part, initially the competing elite groups used more negotiation and discussion in post-independent Kyrgyzstan, as compared to the pre-Soviet period, to enact policy and reforms. The development of the constitution serves as a prime example.

#### **D. KYRGYZSTAN'S CONSTITUTIONAL FRAMEWORK**

The following section begins by providing the important evidence needed to define the type of constitution developed in the post-Soviet context, and uses that information to offer conclusions regarding the role of constitutional framework in Kyrgyzstan's democratic development.

## 1. Evidence

As mentioned, the development of the constitution serves as a prime example of the tension, negotiation, and eventual cooperation that existed among the Kyrgyz elites during the initial post-Soviet period.<sup>240</sup> Work on a new constitution began in earnest in 1992 even though there was still little consensus between the Akaev camp and the parliamentarians on the way forward regarding reform, marketization, or democratization.<sup>241</sup> Anderson explains the political situation leading up to the constitution as follows: “Though many of these deputies opted for Akaev in October 1990, this did not represent a clear body of support for the marketisation and democratisation that he increasingly advocated, with many parliamentarians fearful that such reforms would threaten their economic well-being and political influence.”<sup>242</sup> Therefore, it was from a political context in which the major players were concerned with ensuring and consolidating their own power that Kyrgyzstan’s first post-Soviet constitution emerged.

The debate regarding the initial constitution included a number of controversial topics in addition to the discussion of institutional powers. The elites in Kyrgyzstan considered concerns such as the “status of the Russian language, the position of women, and the question of whether the constitution should make some reference to the values promoted by the state,” in addition to economic and political issues.<sup>243</sup> For example, Akaev wanted the preamble to mention the values of Islam, while other elites suggested other moral principles for inclusion.<sup>244</sup> The sensitive nature of these topics, as well as other tribal and regional factors, added time and divisiveness to the negotiations, but ultimately contributed substantially to the final product.

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<sup>240</sup> Huskey, “Eurasian Semi-presidentialism,” 161, 164–166.

<sup>241</sup> Gonenc, *Prospects for Constitutionalism in Post-Communist Countries*, 199–200; Anderson, *Kyrgyzstan: Central Asia’s Island of Democracy?*, 25.

<sup>242</sup> Anderson, *Kyrgyzstan: Central Asia’s Island of Democracy?*, 25.

<sup>243</sup> Ibid.

<sup>244</sup> Ibid., 26.

Aside from the issues unique to Kyrgyzstan, the elites' main concern remained the more common discussion of the distribution of power among the parliamentary and presidential institutions. Akaev took issue with the 1992 draft version because he viewed the document as one that gave too much power to the parliament and ignored "the realities of a situation where strong executive power was necessary to hold the country together and push through reform."<sup>245</sup> Akaev continued to insist that the country was not prepared for democracy and that a constitutionally empowered president was necessary to ensure progress for the country in advancing economic and political initiatives. Some parliamentary deputies thought that Akaev could handle such institutional power, based on his reputation for supporting democratization and market reform, but not all the elites agreed that future leaders could be trusted with such great amounts of constitutionally vested power.<sup>246</sup> Unfortunately, as time wore on Akaev's increasing desire to centralize control, and his use of the constitution to do so, undermined his objectivity and bolstered the legislature's concerns about presidential power concentration.<sup>247</sup> The discussions and negotiations over the constitution's content continued for months as consensus regarding the legal powers of the different branches of government proved difficult to reach.

In the end, the version put before the parliament balanced the power between the office of the president and the deputies in parliament (called the Jogorku Kenesh).<sup>248</sup> The compromise document, developed with an effort on both sides to purposely avoid "the dangers of a Russian style confrontation between president and parliament" during negotiations, was enacted in May 1993.<sup>249</sup> A detailed examination of that document follows in order to outline the particulars that help categorize the original version of the constitutional framework.

Unfortunately, Krouwel's examination of twelve constitutional frameworks did not include the Central Asian countries, so his assessments cannot be used to supplement

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<sup>245</sup> Anderson, *Kyrgyzstan: Central Asia's Island of Democracy?*, 25.

<sup>246</sup> *Ibid.*, 26.

<sup>247</sup> Olcott, *Central Asia's New States*, 92–97.

<sup>248</sup> Capisani, *The Handbook of Central Asia*, 213; Anderson, *Kyrgyzstan: Central Asia's Island of Democracy?*, 26.

<sup>249</sup> Anderson, *Kyrgyzstan: Central Asia's Island of Democracy?*, 26.

the words of Kyrgyzstan’s actual constitution, as was done in the Russian case study. The template inspired by his article, however, will be used to determine the constitutional framework of Kyrgyzstan’s original constitution from 1993. Table 15 pertains to this framework.

Table 15. Assessment of the Constitutional Framework of Kyrgyzstan’s 1993 Constitution

KYRGYZSTAN	Presidential	Parliamentary	Mixed
HEAD OF STATE ELECTIONS	Direct Election of Head of State	Indirect Election of Head of State	Directly Elected President; Government Drawn from Directly Elected Legislative
			X - Mixed
DISSOLVING GOVERNMENT	President Can Dissolve Parliament and Call Elections	Government/PM Can Dissolve Parliament	President Can Dissolve Parliament and Call Elections
			X - Mixed
APPOINTING CABINET/MINISTERS	Head of State Directly Involved in Formation of Govt (Appt Ministers)	Head of State Has No Formal Powers in Formation of Govt	The Head of State Can Appoint Ministers that have to be Approved by Parliament
			X - Mixed
WHO IS RESPONSIBLE TO PARLI/VOTE OF INVESTITURE	Government and Ministers Not Responsible to Parliament	Government Needs to Win a Vote of Investiture in Parliament	Government is Responsible to to Parliament
			X - Mixed
LEGISLATIVE POWERS	President Can Introduce Legislation and Veto Legislation from Parliament	President Cannot Introduce Legislation Nor Veto Legislation	President Can Introduce Legislation Only Within His Prerogatives
			X - Mixed
EXECUTIVE POWERS	Head of State Has Executive Powers	Head of State Has No Executive Responsibilities	President has Substantial Executive Prerogatives, but Most Executive Power Rests with PM and Cabinet
			X - Mixed
NO CONFIDENCE	Government Can Ignore a Parliamentary Vote of No Confidence	Government Must Resign if it Loses a Vote of Confidence	Government Must Resign if it Loses a Vote of Confidence
			X - Mixed

As Table 15 indicates, Kyrgyzstan’s original constitution falls squarely into the mixed category of constitutional frameworks. Of the seven indicators, the 1993 version displayed all “mixed” characteristics. Anderson provides an assessment of the document noting both the distribution of power between branches, as well as Kyrgyzstan’s

uniqueness within the region: “In practice the final draft put before parliament was relatively balanced in the distribution of powers when compared to that of most neighbouring states.”<sup>250</sup> In dissecting the constitution, Anderson’s assessment proves accurate as the document provides substantial constitutionally approved authorities to the office of the president, but also ensures significant limiting powers in the other branches of government.<sup>251</sup> Particularly in comparison with the amended 1996 version, the original 1993 constitution shows an institutional framework that legally enshrines powers typical of a mixed system.<sup>252</sup>

The following explanations helped develop Table 15 and explain how Kyrgyzstan fits the mixed constitutional framework. As with Russia, sometimes the constitutional framework would appear to fall between two classifications within a particular factor. In other words, at times the Kyrgyz constitution showed a mixed framework with elements favoring presidential power dynamics, or conversely, a mixed framework with an indication of a parliamentary power imbalance. In these cases, notes are provided to highlight the nuances. Of course, this original version is not the same as the currently approved document, as Kyrgyzstan’s constitution has been changed several times, most recently in 2010.

Overall, Kyrgyzstan’s original constitution demonstrated its mixed constitutional framework in the following ways:

- (Head of State Elections) The president was directly elected vice indirectly elected by the legislature in accordance with Article 44.<sup>253</sup> The president appoints the head of the government, the prime minister, with consent from the legislature, per Articles 46 and 58, respectively.<sup>254</sup> This arrangement has a hint of presidentialism, but the parliamentary approval keeps it within the mixed category.

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<sup>250</sup> Anderson, *Kyrgyzstan: Central Asia’s Island of Democracy?*, 26.

<sup>251</sup> Nichol, “Kyrgyzstan’s Constitutional Crisis.”

<sup>252</sup> “The Constitution of the Kyrgyz Republic, 1993 Version,” accessed June 6, 2016, <http://www.uta.edu/cpsees/KYRGCON.htm>; “The Constitution of the Kyrgyz Republic, 1996 Version,” accessed June 6, 2016, <https://www.uta.edu/cpsees/KYRGCON2.htm>.

<sup>253</sup> “The Constitution of the Kyrgyz Republic, 1993 Version,” Article 44.

<sup>254</sup> Ibid., Articles 46 and 58; Anderson, *Kyrgyzstan: Central Asia’s Island of Democracy?*, 27.

- (Dissolution of the Government) Both the president and the legislature have the constitutional right to dissolve the parliament before the end of the term, but with caveats. For the Jogorku Kenesh, two-thirds of the deputies must agree per Article 63 of the constitution. For both the president and the parliament, a national referendum must support the effort.<sup>255</sup> The referendum clause offers a check on unfettered use of this authority by the president.
- (Appointing Cabinet and Ministers) The structure and procedures for establishing the government are outlined in Articles 70 and 71, and indicate that the president accepts the structure of the Government once presented by the prime minister. The Jogorku Kenesh must approve the government per Article 46 as well as Article 71.<sup>256</sup> The balance here favors the parliament, but since the president is still involved, the factor remains in the mixed category, albeit showing a tendency towards parliamentarianism.
- (Responsible to the Parliament/Vote of Investiture) The parliament must consent to the prime minister and the composition of the cabinet as presented by the president and parliament, respectively.<sup>257</sup>
- (Legislative Powers) The constitution grants legislative powers to several branches according to Article 64, which states: “The right to initiate laws shall be vested in the Deputies of the Jogorku Kenesh, the President of the Kyrgyz Republic, the Government of the Kyrgyz Republic, the Supreme Court of the Kyrgyz Republic, the Supreme Economic Court of the Kyrgyz Republic and people’s initiative—30,000 of electors.” Additionally, according to Article 7: “state power in the Kyrgyz Republic shall be vested in and exercised by: The Legislative Power—by the Jogorku Kenesh.”<sup>258</sup> This body has significant powers to enact laws, as enumerated in Article 58. The president, on the other hand, can initiate his own bills and submit them to the Jogorku Kenesh, as well as sign into law legislation presented by the parliament.<sup>259</sup> While the president can return legislation to the Jogorku Kenesh, a two-thirds majority can force the president to sign into law these parliament-approved bills.<sup>260</sup>

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<sup>255</sup> “The Constitution of the Kyrgyz Republic, 1993 Version,” Articles 46(5) and 63; Anderson, *Kyrgyzstan: Central Asia’s Island of Democracy?*, 27.

<sup>256</sup> “The Constitution of the Kyrgyz Republic, 1993 Version,” Articles 46 and 71; Anderson, *Kyrgyzstan: Central Asia’s Island of Democracy?* 27.

<sup>257</sup> “The Constitution of the Kyrgyz Republic, 1993 Version,” Articles 46, 58, and 71.

<sup>258</sup> *Ibid.*, Article 7.

<sup>259</sup> *Ibid.*, Article 58.

<sup>260</sup> *Ibid.*, Article 46; Anderson, *Kyrgyzstan: Central Asia’s Island of Democracy?*, 27.

- (Executive Powers) The constitutional provisions for executive power state that “The Executive Power in the Kyrgyz Republic shall be vested in the Government of the Kyrgyz Republic...” per Article 69 and in accordance with Article 7.<sup>261</sup> The executive is further defined by Article 70 as consisting of “the Prime Minister of Kyrgyz Republic, Vice-Prime Ministers, Ministers and Chairmen of state committees of the Kyrgyz Republic.”<sup>262</sup> The omission of the president in this article stands out, although, per the constitution, the president determines the structure of the Government (with the approval of the parliament) and “shall exercise control over the work of the Government.”<sup>263</sup> This delineation seems to purposely distance the president from the executive, although not completely. Both the government and the president have powers to issue decrees, which extend the scope of their power, per Articles 74 and 48 respectively.<sup>264</sup> Moreover, both the president and the parliament have the power to call for referendums, an important authority as shown by Kyrgyz history.
- (No Confidence) Votes of no confidence may be initiated by the legislature per Article 58, which states that the parliament shall “decide the question of confidence to the Government of the republic or its individual member by a majority of 2/3rds from the total number of Deputies by secret ballot.”<sup>265</sup> Article 58 is the only passage in the 1993 constitution that refers to votes of no confidence. Since only the parliament and the cabinet are involved in this particular factor, the constitution blends the mixed and parliamentary categorizations. Because the constitution does not explicitly state if the government must resign if it loses a vote of no confidence, however, this last category proves difficult to determine. The 1993 version serves as a contrast to the 1996 version, on the other hand; the latter specifically outlines the authorities in Article 71.<sup>266</sup> The change to this factor indicates a more presidential-type arrangement in 1996 as compared to 1993, yet still in the mixed category. This suggests that the original version did not give the president enough power, so it was changed, a further indication that the factor was viewed as balanced (or mixed) originally.<sup>267</sup>

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<sup>261</sup> “The Constitution of the Kyrgyz Republic, 1993 Version,” Articles 7 and 69.

<sup>262</sup> Ibid., Article 70.

<sup>263</sup> Ibid., Articles 70 and 72.

<sup>264</sup> Ibid., Articles 74 and 48.

<sup>265</sup> Ibid., Article 58(25).

<sup>266</sup> “The Constitution of the Kyrgyz Republic, 1996 Version.”

<sup>267</sup> Ibid., 71.

As mentioned, after the enactment of the initial constitution, the politicians made a number of changes, which created political volatility much in the same way as the changes in leadership dynamics. President Akaev began the process of negotiating and influencing changes as early as 1994, but debates over the constitution have continued over the years as politicians have tried to use the document to manipulate the political system. For instance, Akaev's efforts were rewarded, particularly in 1996, when an amended constitution significantly increased the constitutional powers of the president at the expense of the legislature.<sup>268</sup>

According to Krouwel's formula, the 1996 amended constitution showed four tendencies that appeared more "presidential" (Head of State Elections, Dissolving Government, Legislative Powers, and Executive Powers) and three characteristics that looked typically "mixed" (the Appointing Cabinet and Ministers, Responsible to the Parliament in a Vote of Investiture, and Vote of No Confidence).<sup>269</sup> While these classifications have not been explained in detail, the research suggests that in changing the document so dramatically, the politicians moved the constitution closer to a presidential rather than a mixed framework in 1996 and helped Akaev consolidate his political position.<sup>270</sup> In addition, the 1996 version proved important as it was the first major change from the original version and demonstrated how Akaev's changes in political leanings affected the fundamental institutions.

In the post-Akaev era, the desired form of mixed framework has oscillated over the years, resulting in additional substantial alterations in 2003, 2006, 2007, and 2010. These periods of significant amendments to the constitution still appeared to exist within the context of a mixed framework, but in ways that fundamentally changed the character of the document.

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<sup>268</sup> Huskey, "Eurasian Semi-presidentialism," 161.

<sup>269</sup> "The Constitution of the Kyrgyz Republic, Version, 1993"; "The Constitution of the Kyrgyz Republic, 1996 Version"; Goneng, *Prospects for Constitutionalism in Post-Communist Countries*, 291–305.

<sup>270</sup> Huskey, "Eurasian Semi-presidentialism," 161.

## 2. Conclusions

The original constitution displays a politically balanced document with a mixed framework that legally enshrines power for each branch of the government and is consistent with the scholarly assessment presented in Chapter III. This balanced nature makes sense since the elites spent months during its development negotiating and debating the details of the document. Admittedly, the constitutional development phase featured infighting and power struggles amongst the different elites between 1991 and 1993, but the process led to a combined result, with even President Akaev advocating for a cooperative effort.<sup>271</sup> In other words, the balanced, mixed nature of the 1993 constitution correlates with the leadership balance and the process in which the document was developed.

Interestingly, the Freedom House numbers tell a similar tale. As Table 14 showed, the initial constitutional framework appears consistent with the Constitutional Framework Theory since Kyrgyzstan had a mixed, balanced constitution and a Freedom House score in the “partially free” range at 4.5. From 1991 to 1993, the discussion over the constitution and the balance between branches appeared to contribute to an increase in the overall levels of democracy with Kyrgyzstan obtaining Freedom House scores between 3 and 4. Thus, based on the data and consideration of the historical events, the in-depth analysis conducted here regarding the initial conditions concludes that between 1991 and 1993 Kyrgyzstan’s constitutional framework supported the Constitutional Framework Theory. The initial constitution, in force from 1991 to 1994, had a mixed framework that corresponded with the lower and “partially free” scores.

Moving beyond the initial period, however, the details and the trends are harder to ascertain without further analysis, particularly regarding the major constitutional changes. Despite the mixed nature of the original constitution, the document itself and the constitutional balance it established did not endure for long as its character became more presidential through amendments in 1996 and again in 2006. To further complicate the analysis, subsequent efforts to overturn the constitution’s presidential nature led to

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<sup>271</sup> Gonenç, *Prospects for Constitutionalism in Post-Communist Countries*, 200.

counteracting changes in 2003, 2007, and 2010. The correlation between these changes and their effects on levels of democratic freedom remain unclear as the Freedom House numbers do not register movement following each period of constitutional change. For instance, between 1994 and 2004, roughly the same period in which Akaev concentrated on centralizing his power through constitutional amendments and other methods, levels of democratic development dropped consistently from 3.5 to 5.5. After the 2003 amendments, however, there was no immediately discernable change in democratic scores, with Kyrgyzstan being evaluated as 5.5 in 2003 and 2004. Similar results followed the 2006, 2007, and 2010 changes. If effects on democratic freedom did occur as a result of the changing nature of the constitution, they may have registered in later scores, but that correlation was not discovered here.

On one hand, perhaps the number of substantial changes to the constitution over the years is the reason that the correlation proves so difficult to discern. For instance, the 2006 constitution reduced presidential powers, but the 2007 version increased them again. With changes so rapid and polar, it makes sense that the fluctuations could not register significant changes in Freedom House assessments. On the other hand, the changes were all conducted within the originally developed mixed framework. To that end, perhaps the variations between the “2003 mixed” and the “2006 mixed” too proved insignificant to bring about changes in levels of democratic freedoms. In either case, without further consideration, this thesis can only confirm the correlation between the constitutional framework and levels of democracy from 1991 to 1993, but the analysis would benefit from further investigation of other time periods. For instance, the 2010 version of the constitution, which was also adopted after a change in presidential leadership due to popular discontent, moved away from constitutional centralization of presidential power. Examination of this document could offer insight into why Kyrgyzstan’s current level of democracy continues to hold steady in the “partially free” range with a 5 score from Freedom House since 2010. Ultimately, a further, detailed investigation of the events in the post-Akaev era should be undertaken in order to help determine if the correlation between constitutional frameworks and levels of democracy continues after the initial transition period. Specifically, more data regarding the four

major alterations would help expand the analysis begun here with the 1993 constitution to other versions.

From a “bigger picture” standpoint, however, without the benefit of examining the details of each of the several post-Akaev constitutions, the general trend of rapid and frequent change to the constitution still suggests that Kyrgyzstan supports the Constitutional Framework Theory. As with the leadership element, the unstable foundation created by choosing a purely mixed system led to increased fluidity and volatility within Kyrgyzstan’s political situation. For most of its history since 1991, the country fell between the two extremes, both in constitutional framework (mixed) and in democratic freedoms (3–5.5), just as the Constitutional Framework Theory would suggest. The overarching mixed framework, which varied between mixed with presidential tendencies to a more balanced mixed system, produced a middle ground over the longer term that allowed for greater flexibility, but that did not affect Kyrgyzstan’s “partially free” range of democratic freedom.

In addition, the Kyrgyzstan case study suggests a correlation, similar to the Russian experience, which indicates that a mixed constitution proves easier for governing elites to manipulate. In essence, the Kyrgyzstan case study seems to suggest that its mixed constitutional framework’s intermediate position, between pure parliamentarianism and pure presidentialism, allows for easier alteration, just as the Constitutional Framework Theory posits.

#### **E. SUMMATION—CONSIDERING THE COMBINATION HYPOTHESIS**

As with Russia, a deeper look into the inner dynamics and nuances of the Kyrgyzstan case study shows greater support for the Combination Hypothesis than the initial determination suggested. Considering, as the Combination Hypothesis argues, the crucial juncture—the balance between the leadership at the point of constitutional development—Kyrgyzstan’s post-Soviet political evolution generally supports the theory. Since the strength of the president and his loyalists effectively countered the holdovers from the Soviet era dominating the legislature, the power dynamics led to a cooperative effort on the initial constitution. Even though most of the elites involved in this process

had been members of the Communist Party, their post-transition approaches to reform, their ideological differences, and their own interests led both sides to compromise on the constitution. As a result of the balance and compromise, a mixed constitutional framework, which showed definite efforts to check and balance the different branches of government, emerged in 1993.

Unfortunately, the balance between leadership groups eventually turned into an imbalance that changed the fragile mixed system. As the leadership dynamics have oscillated between groups in the years since independence, the constitutional framework has been dragged through corresponding fluctuations. The importance of the leadership in the beginning, however, particularly Akaev's initial support for democracy, appears to be a key dynamic that ensured a less presidential constitutional framework than the other Central Asian countries. Akaev's efforts to reform, and the resulting effort to avoid power centralization within the institutions, created a comparatively more balanced constitution and society in Kyrgyzstan. The fragility of this balance was demonstrated when Akaev's commitment to democratic practices waned and the constitutional institutions changed dramatically. This demonstrates not only the apparent vulnerability of a mixed framework, but the importance a single leader can have on institutional development and the democratic nature of a state.

Finally, the changes in leadership balance and constitutional framework appear related to the initial period, as the inability to consolidate regime type from the outset has continued throughout most of Kyrgyzstan's post-independence history. Arguably, this situation might have proved different if Akaev had initially joined the other, old-regime communists, or if a single coalition had worked the process to enact a constitution designed in its favor. Interestingly, there have been points in Kyrgyzstan's history at which power centralization or constitutional framework development could have altered the regime's character, as with Russia, but for Kyrgyzstan, balance and instability have seemed to triumph over full-fledged consolidation.

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## **VII. CONCLUSION**

The case study examinations of Russia and Kyrgyzstan offered additional insight into the particulars of two republics, as well as the general applicability of the Balance of Leadership Theory, the Constitutional Framework Theory, and the Combination Hypothesis in the post-Soviet context. In addition, the case studies and the thesis overall identified areas that would benefit from additional research.

As stated within their respective chapters, understanding of both Russia's and Kyrgyzstan's political situations and democratic development can be enhanced when viewed through the lenses of the Balance of Leadership Theory and the Constitutional Framework Theory. Particularly at the country's point of transition, both the leadership dynamics and the type of constitutional framework chosen have contributed to past and present levels of democratic development.

In Russia, the initial power balance fell away quickly as Yeltsin consolidated his power and set the stage for Putin's further power concentration. This consolidation of leadership contributed to the strangling of Russia's democratic development, and was aided by the country's initial constitutional framework. The mixed system, with its overtly presidential character, reduced Russia's ability to pursue democratization as it allowed the non-democratic elites to concentrate power and manipulate the institutional framework in a manner that continues to affect Russian levels of democratic development.

In Kyrgyzstan, the initially fragile balance in leadership between the president and the legislature provided an unstable foundation that has continued to shift throughout the decades since independence. The truly mixed framework of the original constitution contributed to the instability, as the institutional foundation changed as regularly as the power dynamics shifted among the elites. Both factors have fostered the ups and downs that Kyrgyzstan has experienced throughout its democratic development.

While both the Balance of Leadership and the Constitutional Framework Theories contributed to the understanding of each state's level of democratic success, the union of

these two factors in the Combination Hypothesis provides a new and compelling perspective from which to examine the democratic success of the post-Soviet republics. The Combination Hypothesis focuses on the crucial juncture or connection between the initial leadership dynamics and the type of constitutional framework the elites chose for the original constitution. Basically, by considering the balance of power within the elites, the type of constitution enacted can often be explained and understood. Since the constitutional framework often creates the institutional foundation of the country, which can either constrain or empower the leadership, the constitutional framework helps predict levels of democratic success. This hypothesis, explained in greater detail in Chapter III, appears to be a useful construct based on the evidence discovered through the two case studies. The Combination Hypothesis identifies linkages within the political dynamics of the post-Soviet republics that the Balance of Leadership Theory and the Constitutional Framework Theory cannot offer on their own.

In Russia, the leadership imbalance favoring the executive in 1993, when the constitution was enacted, has contributed to the strongly presidential constitution that has facilitated encroachment on democratic freedoms to this day. In Kyrgyzstan, the fragile balance among the elites led to cooperation during the constitution building process, resulting in a purely mixed constitution. This constitution, one easily amended based on the relative power dynamics between the executive and the legislature, appears to have contributed to, or detracted from, the level of democracy in the country depending on the version in force at the time. For both nations, the ties between the power dynamics among the initial elites, the resulting original constitution, and the follow-on levels of democratic development appear inextricably linked, just as the Combination Hypothesis would suggest.

In addition, the apparent differences between the countries, which cannot be explained by either the Balance of Leadership Theory or the Constitutional Framework Theory alone, can be understood through the Combination Hypothesis. While both countries had relative balances at the point of transition and developed mixed constitutional frameworks, Russia has grown increasingly non-democratic since the 1991

transition while Kyrgyzstan continues to oscillate between partial democracy and non-democracy.

The divergence in democratic paths can be explained by the different situation each country faced at the Combination Hypothesis' crucial juncture. Essentially, Russia showed signs of growing authoritarianism at the point when the initial elites constructed the original constitution, while Kyrgyzstan displayed elements of disunity and uncertainty. Yeltsin's ability to consolidate a power imbalance, which he used to influence the development of the strongly presidential constitution, differed significantly from Akaev's relative power balance with the other elites, which led to a compromise, mixed constitution. The fact that the Combination Hypothesis can be used to explain both sets of circumstances indicates that as a construct, it has an element of flexibility and nuance that looks beyond explanations provided by either the Balance of Leadership Theory or the Constitutional Framework Theory alone.

While the details of the Russian and Kyrgyz examples appear to support the Combination Hypothesis, further examination of the circumstances beyond the initial transition period for each country would test the construct. For instance, as mentioned in Chapter VI, the Kyrgyzstan case study focused on the period immediately following independence until the end of the time in office of the first president, Akaev. Examining the post-Akaev period could offer further evidence that supports the Combination Hypothesis' claim that Kyrgyzstan has had difficulty consolidating either form of government as a result of the initial power dynamics that developed a fragile, mixed constitutional framework.

In addition, the investigation of the other former Soviet republics would also help confirm the utility of the Combination Hypothesis in analyzing the levels of democratic success achieved throughout the post-Soviet space. For instance, as mentioned in Chapter IV, Lithuania provides an excellent opportunity to study how a mixed institutional setup could result in a fully formed democracy. Perhaps the Combination Hypothesis will show that the leadership dynamics at the point of transition favored the democrats and therefore the democratic elites formed a strongly parliamentary mixed constitution. This would explain why Lithuania appeared to behave as the Balance of Leadership Theory

predicted, but not the Constitutional Theory would predict. A study of the crucial juncture established by the Combination Hypothesis would offer greater insight into the dynamics at transition for post-Soviet republics and could easily be expanded to consider any nation experiencing democratic transition.

While the research supports the applicability and usefulness of the Combination Hypothesis, the framework does have some limitations. For instance, the Combination Hypothesis may place a disproportionate emphasis on the post-transition period. Essentially, the hypothesis implies that once the initial constitution is developed by the post-independence elites, the country's democratic path can be predicted. Perhaps the idea of the crucial juncture (which usually occurs soon after the initial transition) could be expanded to include other points at which the leadership dramatically changes the institutional framework.

Determining which situations would be applicable might prove harder to enumerate and track, but there might be some utility in acknowledging that while the first post-transition leadership dynamics and corresponding constitution are the most important variables, the initial crucial juncture may not be the only time at which the leadership dynamics and constitutional framework factors combine to affect levels of democracy.

In fact, Kyrgyzstan might offer the ideal case. It is noteworthy that Kyrgyzstan has significantly amended its constitution five times. Future study could ascertain if there is a link between the prevailing leadership balance in Kyrgyzstan, the resulting constitutional change, and levels of democratic freedom, for each of the substantial amendments. Such an investigation would add clarity regarding temporal considerations. In other words, the research in this thesis shows that the correlation between the initial power dynamics and the type of constitutional foundation can emerge at different points in each country, but further study would increase understanding of when that juncture occurs for additional states.

Aside from the lessons learned regarding the usefulness of the Balance of Leadership Theory, the Constitutional Framework Theory, and the Combination

Hypothesis, this thesis offers other observations worth consideration. First, the unique nature of the mixed constitutional framework came to light in both the Russian and Kyrgyz chapters. Based on the data presented in Chapter III and the evidence provided by the case studies, unlike the pure parliamentary or pure presidential systems, which adhered strongly to the Constitutional Framework Theory,<sup>272</sup> the mixed frameworks and their resulting regime types vary more extensively. Perhaps the inherently balanced nature of the mixed systems creates a fragility and susceptibility to change less prevalent in the other constitutional frameworks. The balance within the mixed system often creates a regime that offers greater opportunity for manipulation and change in part because it fails to isolate or concentrate the power within one branch of the government. This may help explain the variance between different mixed systems as well as their volatility. Some literature supports this claim as scholars have written about differences in what are often called “semi-presidential” systems. Additional research, however, might add clarity as to how the mixed systems behave in a post-Soviet context specifically.

Along the same lines, while the institutional framework appears to be important in determining the long-term levels of democratic success, between the constitutional framework and the balance of leadership, the leadership dynamics may prove more important when considering the likelihood of democratic development. As the Combination Hypothesis argues, the leadership at the point of transition often determines the constitutional framework or institutional system. Therefore, the constitutional framework may just be a reflection of the leadership’s ideology or desired regime type. The leaders that support democracy will find ways to protect those values in the constitutional frameworks, and the leaders that prefer autocratic power will attempt to manipulate the institutional system to further their authoritarian objectives.

President Akaev from the Kyrgyz case serves as an excellent example. His early commitment to democracy and reform balanced the less democratically minded legislature and ensured the enactment of a compromise and mixed constitutional framework. Standing out from his Central Asian peers, Akaev’s initial commitment to

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<sup>272</sup> According to the theory, the pure parliamentary system equals democracy, while the pure presidential system equals dictatorship.

democracy may help explain the higher levels of democratic development experienced in Kyrgyzstan as compared to the other Central Asian countries, despite his later turn towards authoritarianism. Essentially, Akaev's initial pro-reform mentality created the institutions that later constrained his increased political ambition and attempts at power concentration. Perhaps the Akaev example suggests that at the point of transition, or the crucial juncture, the leadership balance may be able to ensure democratic institutions, but the constitutional framework may not be able to develop democratically minded elites. If this hypothesis is correct, and future research would need to be conducted to determine its validity, the formation of democratic elites must precede the development of institutions in order to successfully promote democratic rule. If this is true, this suggestion could have important implications for democratic development.

Overall, this thesis presented a number of conclusions derived from the research that help account for the differing levels of democratic success achieved by the post-Soviet republics. From a political theory standpoint, this study provided feedback on the validity of two established theories, McFaul's "Balance of Leadership Theory," and Stepan and Skach's "Constitutional Framework Theory;" the applicability of an original "Combination Hypothesis;" and some general notes on regional comparisons and exceptions. From a historical perspective, this thesis offered insight into two post-Soviet cases—Russia and Kyrgyzstan—that provide a deeper understanding of the general phenomenon through an analysis of their particular dynamics. This work has aimed to shed light on some of the factors that contribute to the differing levels of democratization among the post-Soviet republics, and to help build the foundation for future studies into the democratic development of transitioning states.

## APPENDIX

Table A. Freedom House Scores for the Post-Soviet Republics (1991–2016)<sup>273</sup>

ARMENIA	Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Average	Comparative Score (1 Low; 100 High)
Current Freedom House	Freedom Score		5	3.5	3.5	3.5	4	4.5	4.5	4	4	4	4	4	4	4	4.5	4.5	4.5	4.5	5	5	5	5	4.5	4.5	4.5	4.5	4.326923	2016 = 46
	Civil Liberties		5	3	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4		2015 = 46
	Political Rights		5	4	3	3	4	5	5	4	4	4	4	4	4	5	5	5	5	6	6	6	6	5	5	5	5	5		2014 = 43
AZERBAIJAN	Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Average	Comparative Score (1 Low; 100 High)
Current Freedom House	Freedom Score		5	5	6	6	6	5.5	5	5	5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	6	6.5	6.5	5.557692	2016 = 16
	Civil Liberties		5	5	6	6	6	5	4	4	4	5	5	5	5	5	5	5	5	5	5	5	5	5	6	6	6	6		2015 = 20
	Political Rights		5	5	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	7	7		2014 = 22
BELARUS	Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Average	Comparative Score (1 Low; 100 High)
Current Freedom House	Freedom Score		4	3.5	4.5	4	5	6	6	6	6	6	6	6	6	6	6.5	6.5	6.5	6.5	6.5	6.5	6.5	6.5	6.5	6.5	6.5	6.5	5.884615	2016 = 17
	Civil Liberties		4	3	4	4	5	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6		2015 = 14
	Political Rights		4	4	5	4	5	6	6	6	6	6	6	6	6	7	7	7	7	7	7	7	7	7	7	7	7	7		2014 = 14
ESTONIA	Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Average	Comparative Score (1 Low; 100 High)
Current Freedom House	Freedom Score		2.5	3	2.5	2.5	2	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1	1	1	1	1	1	1	1	1	1	1	1	1	1.442308	2016 = 94
	Civil Liberties		3	3	2	2	2	2	2	2	2	2	2	2	2	1	1	1	1	1	1	1	1	1	1	1	1	1		2015 = 95
	Political Rights		2	3	3	3	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		2014 = 95

<sup>273</sup> Freedom House scores from 1975–2016. “About Freedom in the World.”

GEORGIA	Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Average
Current Freedom House	Freedom Score		5.5	4.5	5	5	4.5	4	3.5	3.5	3.5	4	4	4	4	3.5	3	3	4	4	4	3.5	3.5	3	3	3	3	3	3.788462
	Civil Liberties		5	5	5	5	5	4	4	4	4	4	4	4	4	4	3	3	4	4	4	3	3	3	3	3	3	3	
	Political Rights		6	4	5	5	4	4	3	3	3	4	4	4	4	3	3	3	4	4	4	4	4	3	3	3	3	3	

2016 = 64  
2015 = 64  
2014 = 63

KAZAKHSTAN		Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Average
Current Freedom House	Freedom Score		4.5	5	5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.423077
	Civil Liberties		4	5	4	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	
	Political Rights		5	5	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	

2016 = 24  
2015 = 24  
2014 = 25

KYRGYZSTAN	Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Average
Current Freedom House	Freedom Score		4.5	3	4	3.5	4	4	4	5	5	5.5	5.5	5.5	5.5	5.5	4.5	4.5	4.5	4.5	5.5	5	5	5	5	5	5	5	4.730769
	Civil Liberties		4	2	3	3	4	4	4	5	5	5	5	5	5	5	4	4	4	4	5	5	5	5	5	5	5	5	
	Political Rights		5	4	5	4	4	4	4	5	5	6	6	6	6	6	6	5	5	5	5	6	5	5	5	5	5	5	

2016 = 38  
2015 = 38  
2014 = 39

LATVIA		Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Average
Current Freedom House	Freedom Score		2.5	3	3	2.5	2	2	2	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1	1	1.5	1.5	1.5	2	2	2	2	2	2	2	1.826923
	Civil Liberties		3	3	3	2	2	2	2	2	2	2	2	2	2	2	2	1	1	1	1	1	2	2	2	2	2	2	2	
	Political Rights		2	3	3	3	2	2	2	1	1	1	1	1	1	1	1	1	1	2	2	2	2	2	2	2	2	2	2	

2016 = 86  
2015 = 85  
2014 = 84

LITHUANIA	Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Average
Current Freedom House	Freedom Score		2.5	2.5	2	2	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	2	1	1	1	1	1	1	1	1	1	1	1	1	1.403846
	Civil Liberties		3	3	3	3	2	2	2	2	2	2	2	2	2	2	1	1	1	1	1	1	1	1	1	1	1	1	
	Political Rights		2	2	1	1	1	1	1	1	1	1	1	1	1	1	2	1	1	1	1	1	1	1	1	1	1	1	

2016 = 91  
2015 = 91  
2014 = 90

MOLDOVA		Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Average
Current Freedom House	Freedom Score		4.5	5	5	4	4	3.5	3.5	3	3	3	3	3	3	3.5	3.5	3.5	3.5	3.5	4	3.5	3	3	3	3	3	3	3	3.480769
	Civil Liberties		4	5	5	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	3	3	3	3	3	3	3	
	Political Rights		5	5	5	4	4	3	3	2	2	2	2	3	3	3	3	3	3	3	4	3	3	3	3	3	3	3	3	

2016 = 60  
2015 = 63  
2014 = 64

RUSSIA		Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Average
Current Freedom House	Freedom Score		3	3.5	3.5	3.5	3.5	3.5	3.5	3.5	4	4.5	5	5	5	5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	6	6	6	4.826923
	Civil Liberties		3	4	4	4	4	4	4	4	4	5	5	5	5	5	5	5	5	5	5	5	5	5	5	6	6	6		
	Political Rights		3	3	3	3	3	3	3	3	4	4	5	5	5	5	6	6	6	6	6	6	6	6	6	6	6	6	6	

2016 = 22  
2015 = 23  
2014 = 26

TAJIKISTAN		Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Average
Current Freedom House	Freedom Score		5	6	7	7	7	7	7	6	6	6	6	6	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	5.5	6	6	6	6.5	6.5	5.961538
	Civil Liberties		5	6	7	7	7	7	7	6	6	6	6	6	5	5	5	5	5	5	5	5	5	5	6	6	6	6	6	
	Political Rights		5	6	7	7	7	7	7	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	7	7	

2016 = 16  
2015 = 22  
2014 = 24

TURKMENISTAN		Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Average
Current Freedom House	Freedom Score		5.5	6.5	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	6.923077
	Civil Liberties		5	6	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	
	Political Rights		6	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	

2016 = 4  
2015 = 6  
2014 = 7

UKRAINE		Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Average
Current Freedom House	Freedom Score		3	3	4	3.5	3.5	3.5	3.5	3.5	3.5	3.5	4	4	4	4	3.5	2.5	2.5	2.5	2.5	2.5	3	3	3.5	3.5	3	3	3	3.269231
	Civil Liberties		3	3	4	4	4	4	4	4	4	4	4	4	4	4	3	2	2	2	2	2	3	3	3	3	3	3	3	
	Political Rights		3	3	4	3	3	3	3	3	3	3	4	4	4	4	4	3	3	3	3	3	3	3	4	4	3	3	3	

2016 = 61  
2015 = 62  
2014 = 55

UZBEKISTAN	Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Average
Current Freedom House	Freedom Score		5.5	6	7	7	7	6.5	6.5	6.5	6.5	6.5	6.5	6.5	6.5	6.5	7	7	7	7	7	7	7	7	7	7	7	7	6.730769
	Civil Liberties		5	6	7	7	7	6	6	6	6	6	6	6	6	6	7	7	7	7	7	7	7	7	7	7	7	7	
	Political Rights		6	6	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	

2016 = 3
2015 = 4
2014 = 4

Before 2003:	
Free	1-2.5
Partly Free	3-5.5
Not Free	5.5-7

After 2003:	
Free	1-2.5
Partly Free	3.0-5
Not Free	5.5-7

Table B. Matrix Based on Krouwel's Study to Determine Type of Constitutional Framework

	Presidential	Parliamentary	Mixed
HEAD OF STATE ELECTIONS	Direct Election of Head of State	Indirect Election of Head of State	Directly Elected President; Government Drawn from Directly Elected Legislative
DISSOLVING GOVERNMENT	President Can Dissolve Parliament and Call Elections	Government/PM Can Dissolve Parliament	President Can Dissolve Parliament and Call Elections
APPOINTING CABINET/MINISTERS	Head of State Directly Involved in Formation of Govt (Appt Ministers)	Head of State Has No Formal Powers in Formation of Govt	The Head of State Can Appoint Ministers that have to be Approved by Parliament
WHO IS RESPONSIBLE TO PARLI/VOTE OF INVESTITURE	Government and Ministers Not Responsible to Parliament	Government Needs to Win a Vote of Investiture in Parliament	Government is Responsible to Parliament
LEGISLATIVE POWERS	President Can Introduce Legislation and Veto Legislation from Parliament	President Cannot Introduce Legislation Nor Veto Legislation	President Can Introduce Legislation Only Within His Prerogatives
EXECUTIVE POWERS	Head of State Has Executive Powers	Head of State Has No Executive Responsibilities	President has Substantial Executive Prerogatives, but Most Executive Power Rests with PM and Cabinet
NO CONFIDENCE	Government Can Ignore a Parliamentary Vote of No Confidence	Government Must Resign if it Loses a Vote of Confidence	Government Must Resign if it Loses a Vote of Confidence

Table C. Comparison of Sources Used to Determine Type of Constitutional Framework

Country	Date of Independence	Date of Current Constitution	Change Constitution?	Siaroff Assessment (2003)	World Bank	CIA WorldFactbook (2016)	Elgie (2014)	Regime Type at Independence
Armenia	21 Sept 1991	5 July 1995	Amended 2005/2015	Mixed 1995 (Category 5)	Presidential	Republic	Semi-Presi (1995)	Mixed
Azerbaijan	30 August 1991	12 Nov 1995	Amended 2002/2009	NONE	Presidential	Republic	Semi-Presi (1995)	Mixed
Belarus	25 Aug 1991	early 1994	Amended 1996/2004/2015	Mixed 1994 (Category 5)	Presidential	Republic in name; author	Semi-Presi (1996)	Mixed
Estonia	20 Aug 1991/6 Sept 1991	28 June 1992	Amended several/2015	Parliamentary 1992 (Category 7)	Assembly Elected President	Parliamentary Democracy	Parliamentary (R)	Parliamentary
Georgia	9 April 1991	24 Aug 1995	Amended several/2013	Mixed 1994 (Category 5)	Presidential	Republic	Semi-Presi (2004)	Mixed
Kazakhstan	16 Dec 1991	28 Jan 1993	Amended several 1995/2011	NONE	Presidential	Republic in name; autho	Semi-Presi (1993)	Mixed
Kyrgyzstan	31 Aug 1991	Previous 1993	Latest 27 June 2010	NONE	Presidential	Republic	Semi-Presi (1993)	Mixed
Latvia	4 March 1990/6 Sept 1991	1922	Amended 1991/1993/2014	Parliamentary 1990 (Category 7)	Parliamentary	Parliamentary Democracy	Parliamentary (R)	Parliamentary
Lithuania	11 March 1990/6 Sept 1991	25 Oct 1992	Amended 2003	Mixed 1992 (Category 5)	Presidential	Parliamentary Democracy	Semi-Presi (1992)	Mixed
Moldova	27 Aug 1991	29 July 1994	Amended several 2010/2016*	Mixed 1994 (Category 5)	Presidential	Republic	Parliamentary (R) Date?	Mixed
Russia	24 Aug 1991	12 July 1993	Amended 2008/2014	Mixed 1993 (Category 5)	Presidential	Federation	Semi-Presi (1993)	Mixed
Tajikistan	9 Sept 1991	6 Nov 1994	Amended 1999/2003/2014	NONE	Presidential	Republic	Presidential	Presidential
Turkmenistan	27 Oct 1991	18 May 1992	Amended several 2008	NONE	Presidential	Presidential Republic in name; autho	Presidential	Presidential
Ukraine	24 Aug 1991	Previous	Latest 1996, Amended 2004, 2010, 2015	Mixed 1992 (Category 5)	Presidential	Republic	Semi-Presi (1996)	Mixed
Uzbekistan	1 Sept 1991	8 Dec 1992	Amended several/2014	NONE	Presidential	Republic in name; autho	Presidential	Presidential
Source:	CIA World Factbook, accessed April 7, 2016, <a href="https://www.cia.gov/library/publications/the-world-factbook/geos/us.html">https://www.cia.gov/library/publications/the-world-factbook/geos/us.html</a>	CIA World Factbook, accessed April 7, 2016, <a href="https://www.cia.gov/library/publications/the-world-factbook/geos/us.html">https://www.cia.gov/library/publications/the-world-factbook/geos/us.html</a>	CIA World Factbook, accessed April 7, 2016, <a href="https://www.cia.gov/library/publications/the-world-factbook/geos/us.html">https://www.cia.gov/library/publications/the-world-factbook/geos/us.html</a>	Alan Siaroff, "Comparative Presidencies: Inadequacy of the Presidential, Semi-Presidential and Parliamentary Distinction," <i>European Journal of Political Research</i> 42 (2003): 287-312.	"World Bank Database of Political Institutions 2012," <i>Research at the World Bank</i> , accessed April 7, 2016, <a href="http://go.worldbank.org/2EAGG LR240">http://go.worldbank.org/2EAGG LR240</a> .	CIA World Factbook, accessed April 7, 2016, <a href="https://www.cia.gov/library/publications/the-world-factbook/geos/us.html">https://www.cia.gov/library/publications/the-world-factbook/geos/us.html</a>	Robert Elgie, "List of presidential, semi-presidential, and parliamentary countries," <i>Presidential Power Presidents and Presidential Politics Around the World</i> , accessed on April 7, 2016, <a href="http://presidential-power.com/?p=1740">http://presidential-power.com/?p=1740</a> .	

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